

## MARYLAND HISTORICAL MAGAZINE

VOL. 56, No. 3

SEPTEMBER, 1961

## CONTENTS

	PAGE
Architecture and Aristocracy: The Cosmopolitan Style of Latrobe and Godefroy <i>Robert L. Alexander</i>	229
Maryland and the Presidential Election of 1800 <i>Edward G. Roddy</i>	244
The Maryland Penitentiary in the Age of Tocqueville, 1828-1842 <i>Marvin E. Gettleman</i>	269
Sidelights . . . . .	291
Four Daniel of St. Thomas Jenifer Letters <i>ed. by S. Sydney Bradford</i>	
Reviews of Recent Books . . . . .	296
Cutler, <i>Queens of the Western Ocean</i> and <i>Greyhounds of the Sea</i> , by R. Hammond Gibson	
Maurois, <i>Adrienne: The Life of the Marquise de La Fayette</i> , by James W. Foster	
Trelease, <i>Indian Affairs in Colonial New York</i> , by Mary E. Young	
Leder, <i>Robert Livingston, 1654-1728 and the Politics of Colonial New York</i> , by O. T. Barck, Jr.	
Bureau of the Census, <i>Historical Statistics . . .</i> , by Stuart Bruchey	
Boorstin, ed., <i>American Railroads</i> , by Edward G. Howard	
Woodward, <i>The Burden of Southern History</i> , by Patrick W. Riddleberger	
Morton, <i>Colonial Virginia</i> , by Jack P. Greene	
Roland, <i>The Confederacy</i> , by William H. Wroten, Jr.	
Cleaves, <i>Meade of Gettysburg</i> , by Frank F. White, Jr.	
Green, ed., <i>Ferry Hill Plantation Journal</i> , by C. A. Porter Hopkins	
Luthin, <i>The Real Abraham Lincoln</i> , by Frederick D. Williams	
Kenny, <i>The Origin and Meaning of the Indian Place Names of Maryland</i> , by C. A. Weslager	
Mullikin, <i>Ghost Towns of Talbot County</i> , by Harold R. Manakee	
U. S. Govt. Printing Office, <i>Amphibian Engineer Operations</i> , by Kent Roberts Greenfield	
Notes and Queries . . . . .	317
Contributors . . . . .	319

---

*Annual Subscription to the Magazine, \$4.00. Each issue \$1.00. The Magazine  
assumes no responsibility for statements or opinions expressed in its pages.*

---

Richard Walsh, *Editor*

C. A. Porter Hopkins, *Asst. Editor*

---

Published quarterly by the Maryland Historical Society, 201 W. Monument Street,  
Baltimore 1, Md. Second-class postage paid at Baltimore, Md.

## CLASSIFIED ADVERTISING

### PHOTOGRAPHY

Since 1878

HUGHES CO.

Copy and Restoration Work a Specialty.

Black and White or Color.

C. GAITHER SCOTT

213 W. Monument Street

MU 5-7566 BALTIMORE 1

### PHOTOSTATS & PHOTOGRAPHS

Baltimore Photo & Blue Print Co.

211 E. Baltimore Street

Photo copying of Portraits, Old Photographs,  
Genealogical Charts, Records, Coats of Arms.

LE 9-6881

### PLUMBING — HEATING

M. NELSON BARNES

Established 1909

BE 5-2572

3 West 23rd St.

### BOOKBINDING

JOSEPH RUZICKA, INC.

Tu. 9-7847 — Tu. 9-5095

3200 Elm Avenue (11)

Magazines, Books & Records

Restoration of rare volumes

## PUBLICATIONS OF THE SOCIETY

*Add 25 cents for mailing and Maryland sales tax where applicable*

#### *Maryland in the Civil War*

By Harold R. Manakee, Assistant Director, Maryland Historical Society.  
1961. 173 p., board covers, maps, illustrations and bibliography. Ninth  
grade and above.....

\$4.50

#### *Early Explorations of the Chesapeake Bay*

By Gilbert Byron. 22 p. with maps, illustrations, discussion questions  
and bibliography. High school level.....

\$1.00

#### *William Buckland, 1734-1774: Architect of Virginia and Maryland*

By Rosamond Randall Beirne and John Henry Scarff, F.A.I.A. 1958.  
(Studies in Maryland History No. 4).....

\$7.50

#### *The Dulany's of Maryland, Study of Daniel Dulany, the Elder and the Younger*

By Aubrey C. Land. 1955. (Studies in Maryland History No. 3).....

\$6.00

#### *My Maryland*

By Kaessmann, Manakee and Wheeler. History of Maryland, revised  
edition, 1955 .....

\$3.15

#### *History of Queen Anne's County*

By Frederic Emory. 1950.....

\$7.50

#### *Semmes and Kindred Families*

By Harry Wright Newman. 1956.....

\$10.00

#### *The Regimental Colors of the 175th Infantry (Fifth Maryland)*

By Col. Roger S. Whiteford, 2nd, and Harold R. Manakee. 1959. Illus-  
trated .....

\$2.00

# MARYLAND HISTORICAL MAGAZINE

*A Quarterly*

---

---

Volume 56

SEPTEMBER, 1961

Number 3

---

---

## ARCHITECTURE AND ARISTOCRACY: THE COSMOPOLITAN STYLE OF LATROBE AND GODEFROY

By ROBERT L. ALEXANDER

“**Y**OU and I must carry on the War against the Goths & Vandals with perseverance & we shall do it with success.”<sup>1</sup> Writing thus to his friend Maximilian Godefroy,

<sup>1</sup> Benjamin Henry Latrobe, in his polygraphic (as hereafter) *Letterbooks*, the Md. Hist. Soc., Oct. 23, 1808; similar expressions occur under dates Dec. 27, 1806, and Jan. 8, 1807.

Research for this article was facilitated by a fellowship awarded by the Samuel S. Fels Fund of Philadelphia and by research grants given by the Pennsylvania State University. I have been greatly aided also by Wilbur H. Hunter, Jr., of the the Peale Museum, and by James W. Foster and the staff of the Md. Hist. Soc.

For information on Latrobe, see Talbot F. Hamlin, *Benjamin Henry Latrobe* (New York, 1955); on Godefroy, see Dorothy M. Quynn, “Maximilian and Eliza Godefroy,” *Md. Hist. Mag.*, LII (1957), 1-34 with further references, and

Benjamin Henry Latrobe made clear their awareness of a common problem. Even ignoring the mass of construction, both men felt that important public and domestic buildings in America were old-fashioned and lacked stylistic consistency. They attributed these undesirable qualities to a lack of taste and set for themselves the task of educating the public to new standards derived from the latest architectural developments in Europe. Both men were active in Baltimore during the first two decades of the nineteenth century, building in a manner which contrasted sharply with that of their local predecessors and contemporaries. Long before they left the city in 1819, their works were being described as exhibiting the best taste and a modern style.<sup>2</sup>

Certainly Latrobe and Godefroy were not alone in their efforts to change American taste, but the part of the populace which shared this aim was probably no larger than it has been at any other time in history. Expression of a significant taste through a coherent style has usually been the portion of a limited group forming an aristocracy by its political, social, or financial position. However it gained its place, in the eighteenth century the elite was exceptionally conscious of its prerogative of defining taste. For Latrobe and Godefroy, both born in the 1760's and informed with that attitude, maintaining a high level of taste was thus a social as well as artistic obligation. Their art was not limited in its relations with aristocracy to its place of origin, moreover; it was created for and expressed the views of an American aristocracy.

European sources of both these artists appear immediately in their drawings and watercolors. In one handsome figure composition by Latrobe, although the subject is American, the family and home of George Washington, little distinguishes it from the work of a competent English artist of the time. The thin, hard line is that of Flaxman; the composition just what one would find in a Neo-Classical relief sculpture or, more specifically, in a group of figures on a Wedgwood plaque or bowl. A landscape sketch, like the *View on the York River*, exhibits the technical treatment passed on to Latrobe's genera-

Richard H. Howland and Eleanor P. Spencer, *The Architecture of Baltimore* (Baltimore, 1953), pp. 39-47.

<sup>2</sup> See, e. g., Niles' *Weekly Register*, III (1812-13), 46.

tion by the English painter Gainsborough who was forced to subordinate his interest in landscape to the constant demands made by the upper class for his portraits.<sup>3</sup> But the English gentleman's love of nature dominated in Constable's art, and Latrobe shows a similar interest in the turbulence of the water and in the vitality that ruffles the trees and bushes and moves the clouds across the sky. Latrobe's magnificent technique is obvious in his quodlibets, or trompe l'oeil compositions, representations of flat objects as a kind of tour de force. There is an intention to fool the eye, but the artist must not be too accomplished or we may not understand his great skill. By inserting the portrait head Latrobe deliberately breaks the spell woven by two-dimensional elements and introduces a factor which makes us aware of another facet of his skill. Godefroy's *Battle of Pultowa* (1804-05) is far more intellectual in its organization and suggests a strong interest in narrative. All the feeling and excitement of a battlescene is the product of a forced wedding of Rococo curves, zig-zags, and billowing clouds with the Neo-Classical groups, figures, and poses. At the least, these elements link Godefroy's art with the several techniques current in France.

Because they introduced some quite modern European attitudes and practices the buildings of Latrobe and Godefroy were virtually unique in America. The longitudinal section of Latrobe's Cathedral (1805) in Baltimore shows an interest in large, clear, open spaces, and contrasts of varied forms and shapes, like the barrel-vaulted and domed chambers of different heights. The subtle but rich treatment of the surfaces reflects was adapted by other architects almost as soon as it appeared. the precise elegance of the brothers Adam whose manner The subtlety and intricacy of the decoration, the complex spatial relations, and the very shapes employed in James Wyatt's Pantheon (1770-72) in London provided close similarities to the Cathedral.<sup>4</sup> Although Godefroy's background was entirely French, still the original interior of the Unitarian Church

<sup>3</sup> For the Latrobe drawings mentioned in this paragraph, see Hamlin, fig. 31 and pls. 4, 39; for the *Battle of Pultowa*, see Robert L. Alexander, "The Drawings and Allegories of Maximilian Godefroy," *Md. Hist. Mag.*, LIII (1958), illus.

<sup>4</sup> John Sumerson, *Architecture in Britain 1530-1830* (Baltimore, 1954), pl. 159B.

(1817-18) in Baltimore possessed the same sophistication of forms. In all three cases an unusual overhead light source added complexity and drama to the interior voids.

Exteriors, too, link our architects with avant garde movements. Over the last two decades scholars have recognized the important and revolutionary changes which occurred in European architecture during the later eighteenth century. Inasmuch as this development ignored national boundaries, we can find remarkable similarities in the most unusual ways. In Latrobe's Center Square Pump House (1799-1800) in Philadelphia, for example, several features distinguished it from Colonial work—the interest in geometry which established a cubical base from which emerged a cylinder topped by a hemisphere; the vestibule recessed into the mass of the building and screened by a colonnade in the wall plane; the row of windows enhancing the void within the cylinder; recessed panels, those at the top of the cylinder as well as those containing the arched windows.<sup>5</sup> In France C.-N. Ledoux had previously employed the same formal idea of a cylinder rising from a cube, with openings ranged about the cylinder to hollow it, in the *Barrière de la Villette* (1785-89), one of the forty-nine royal tollhouses built around Paris just before the Revolution.<sup>6</sup> A fine example of the recessed portico and colonnade screen occurred in his residence (1772) for the actress Mlle Guimard.<sup>7</sup> We do not know whether, or how, Latrobe became acquainted with the French works, for there is no record that he ever visited that country.

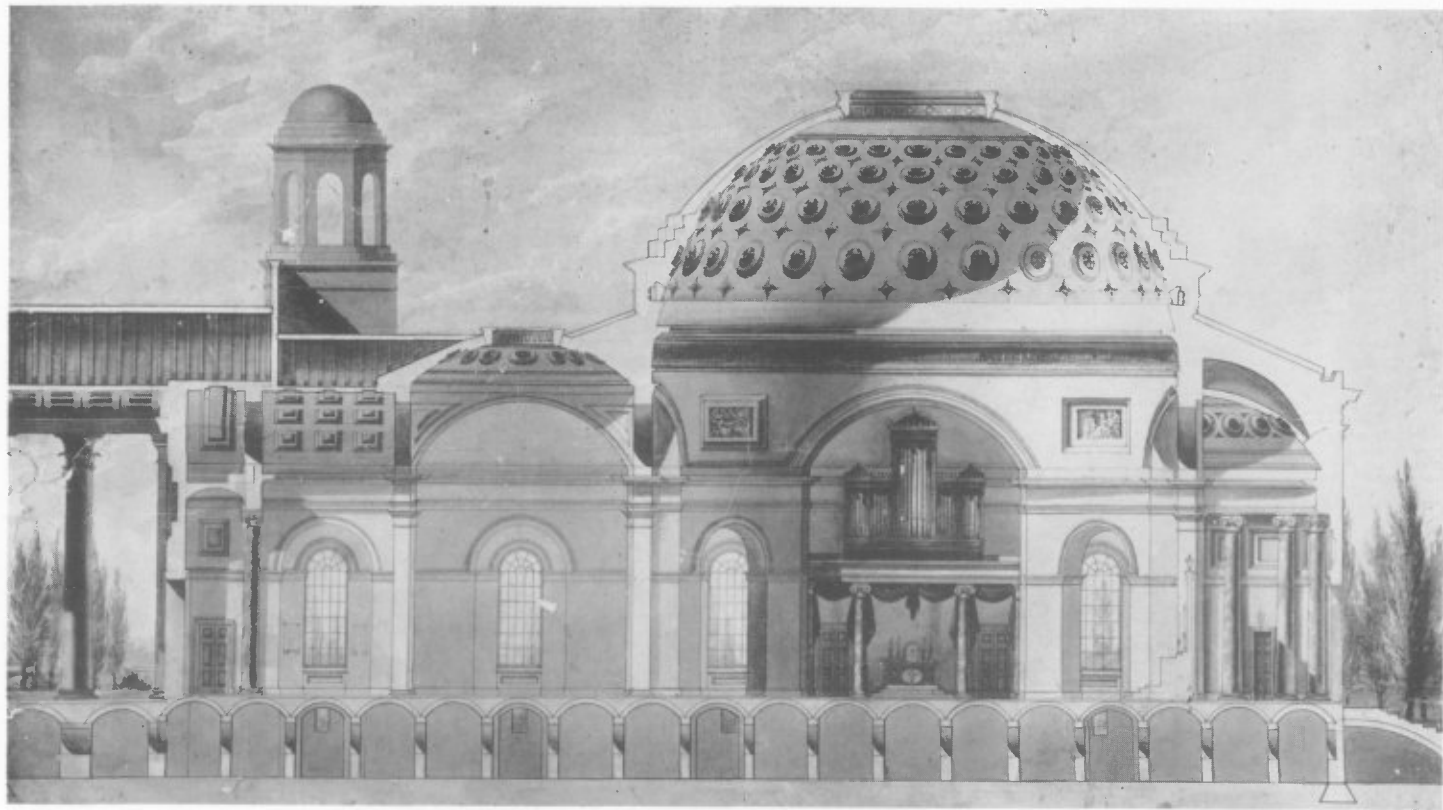
The appearance of similar elements in Godefroy's architecture is more understandable since he lived in Paris almost forty years. In his rendering of the Unitarian Church he emphasized the hemisphere rising from the cubical block of the building and made a superb use of the screened and recessed vestibule, here arcaded.<sup>8</sup> Around the sides and back are arched recesses, some of which have windows, and in the attic level a

<sup>5</sup> Hamlin, pl. 14. See also Rich Bornemann, "Some Ledoux-Inspired Buildings in America," *Journal of the Society of Architectural Historians*, XIII (1954), 15-16.

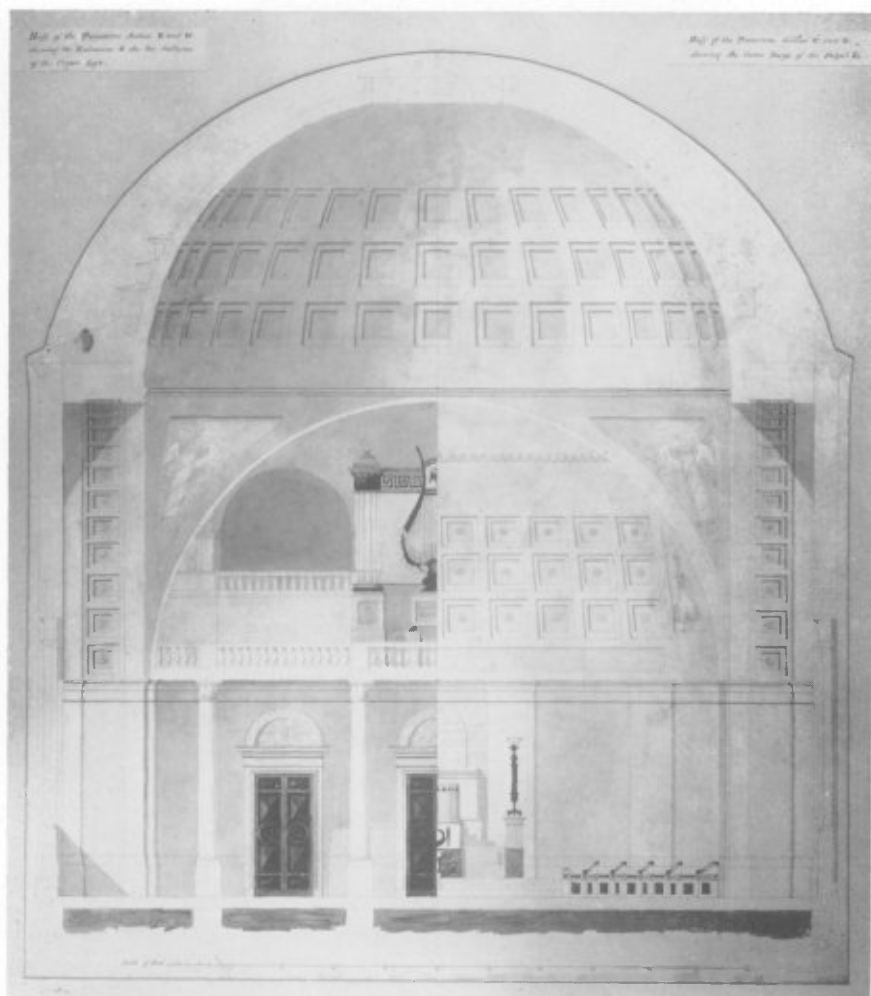
<sup>6</sup> Marcel Raval and J.-Ch. Moreux, *Claude-Nicolas Ledoux* (Paris, 1945), pls. 280-82.

<sup>7</sup> Raval and Moreux, pls. 25, 26.

<sup>8</sup> Alexander, illus.



BALTIMORE CATHEDRAL SECTION, 1808, BY LATROBE.  
Drawing owned by Archdiocese of Baltimore. Photo courtesy Peale Museum.

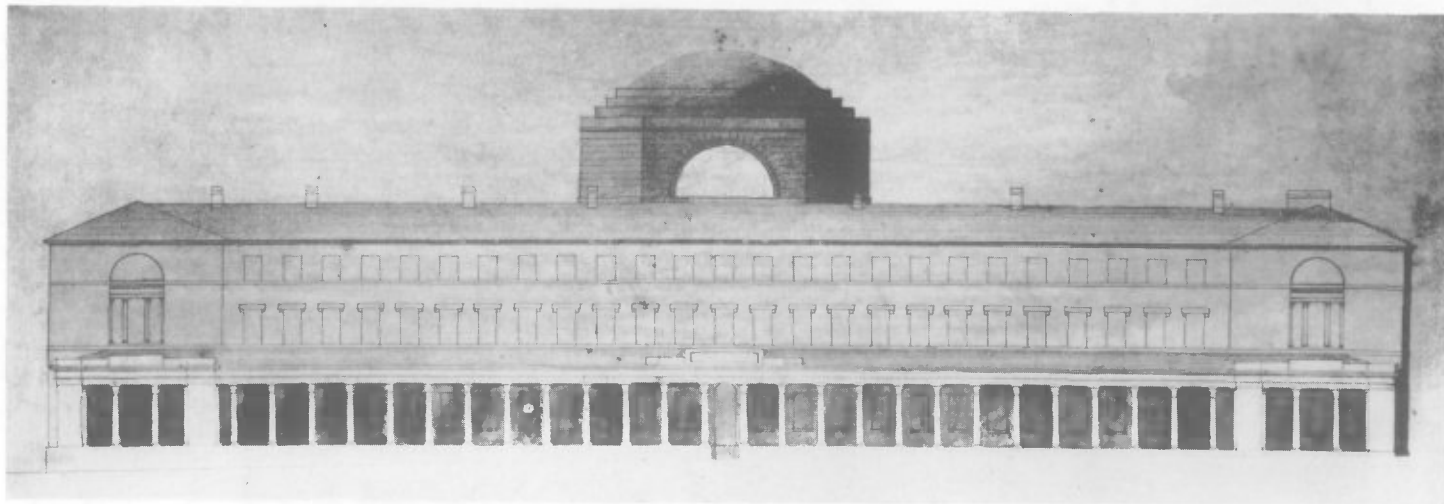


UNITARIAN CHURCH SECTION, 1818, BY M. GODEFROY.

Original drawing at First Unitarian Church.

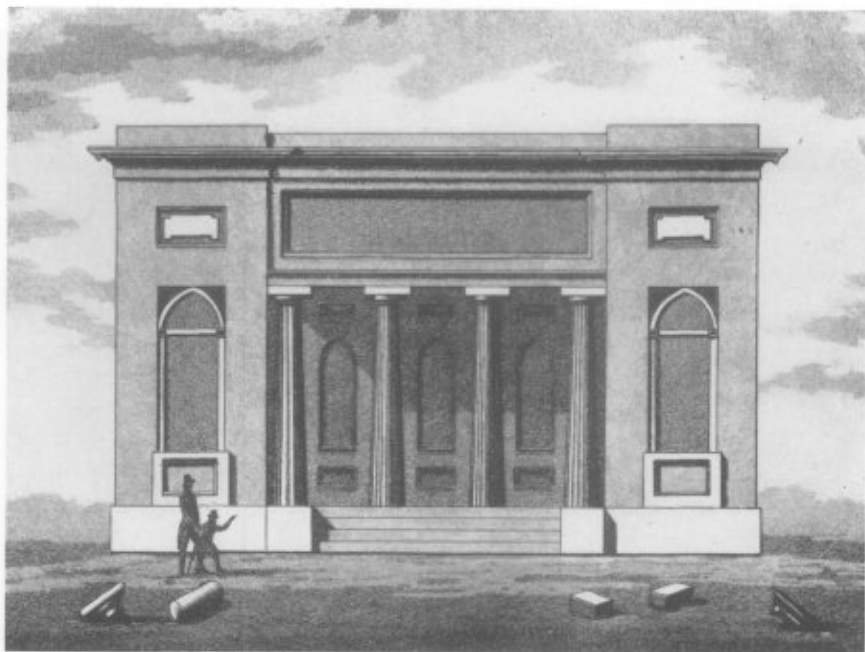
Photo courtesy of the Peale Museum.





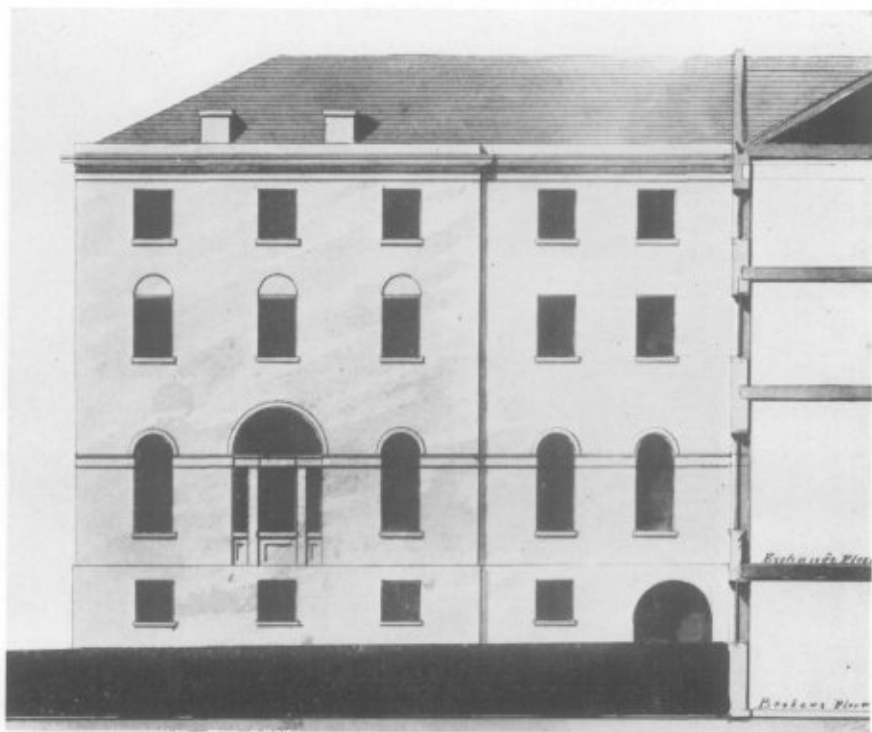
GODEFROY'S STUDY FOR THE BALTIMORE EXCHANGE, 1816.  
Maryland Historical Society.





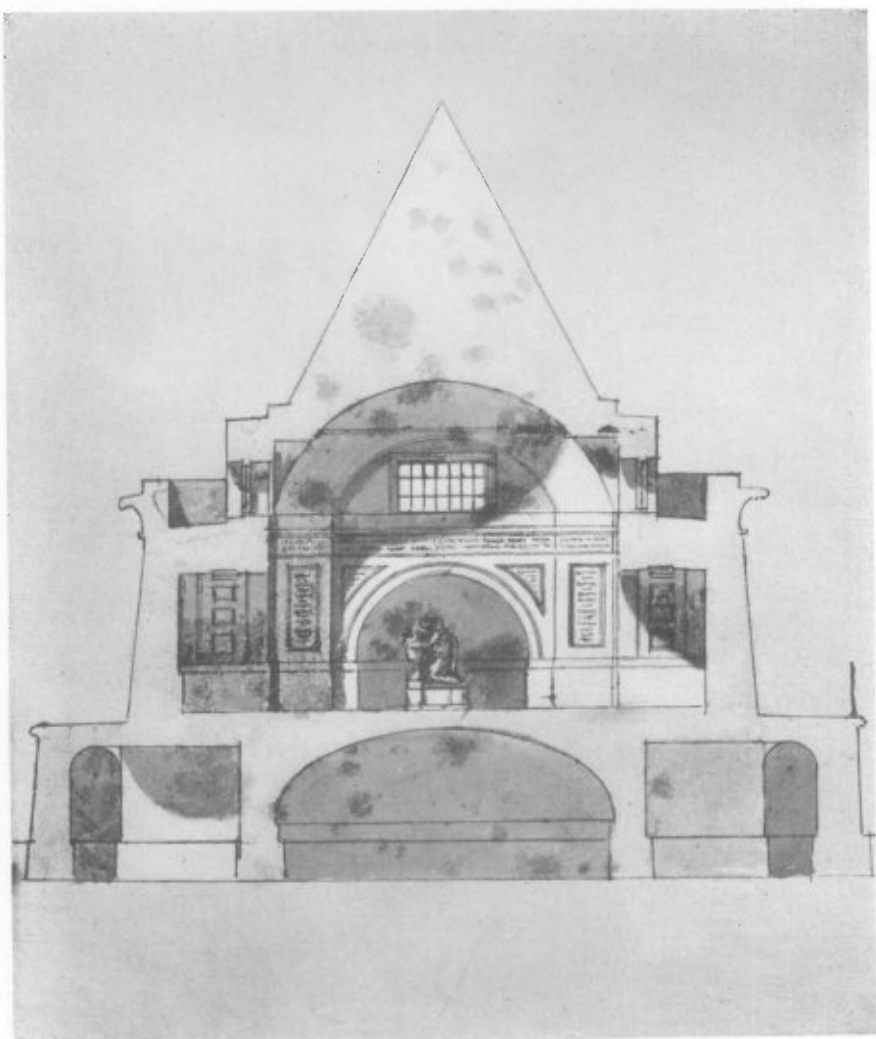
PROJECT FOR THE MASONIC HALL, c. 1812, BY M. GODEFROY.

Photo courtesy of the Peale Museum.



PROJECT FOR EXCHANGE WAREHOUSE, 1828, BY W. F. SMALL.

Maryland Historical Society.



PROJECT FOR A RICHMOND MONUMENT, 1812,  
BY B. H. LATROBE.

Letterbooks, Jan. 21, 1812. Maryland Historical Society.

series of rectangular recesses. The entrance, with three arches on four columns, almost exactly duplicated that on the abbey (c. 1780) at Royaumont, not far from Paris;<sup>9</sup> the triple-arch entry motif, moreover, appeared with some frequency in France from about 1770 to perhaps 1815. Godefroy used two recent publications for certain details, providing specific connections with advanced European taste. In 1798 two French architects, Ch. Percier and P.-F.-L. Fontaine, published their drawings of Italian Renaissance buildings, and from this source Godefroy derived the shape of the pulpit and the form and details of the five doors. The moldings of the interior cornice, he said, were derived from the Palazzo Mattei, and indeed the whole interior space appears to be a magnification of the square, vaulted bay from this palace as illustrated by Percier and Fontaine.<sup>10</sup> From another, and much more popular source, the *Principles of Architecture* by Peter Nicholson, he selected the pattern for the exterior columns and cornices, following the plates almost line for line.<sup>11</sup> But these are details in the over-all stress on strong, self-contained forms, stripped of decoration so that the enclosing planes of the geometric shapes received that much more emphasis. Whether or not Godefroy was familiar with the very buildings known to us, the identification of specific sources is relevant in part because he had lived only in France and his experience was more limited than that of Latrobe who had mastered several languages and traveled widely in Europe.

Books are most helpful in recreating the European intellectual background of men like Latrobe and Godefroy. Several statements by the latter suggest that he used for his architectural study a textbook written by J.-F. Blondel, the great teacher of royalist France from the 1740's until his death in the 1770's. The first building Godefroy designed and built, St. Mary's Chapel (1806-08), is well known as the first Neo-Gothic ecclesiastical structure in America,<sup>12</sup> Whereas one could offer

<sup>9</sup> Raval and Moreux, pl. 349.

<sup>10</sup> Ch. Percier and P.-F.-L. Fontaine, *Palais, maisons, et autres édifices modernes, dessinés à Rome* (Paris, 1798), pls. 42, 55, 73.

<sup>11</sup> Peter Nicholson, *Principles of Architecture* (rev. ed., 3 vols.; London, 1836), III, pls. 195, 196. The Baltimore Library Company owned the first edition (3 vols.; London, 1795-98), which Godefroy borrowed in 1817-18; see the manuscript Librarian's Ledger in the Md. Hist. Soc.

<sup>12</sup> Howland and Spencer, pl. 27.

many reasons why it should have been in a Classical vein, its Gothic stylism, an extraordinary form which has no direct historical source, has never been explained, only accepted. The inspiration to use this mode came to Godefroy, I believe, from his readings in Blondel, perhaps from the following passage dealing with the sublimity of Gothic architecture:

*Le genre sublime dont nous voulons parler, devrait être par exemple, le propre de l'Architecture de nos Temples; en effet, tout y doit paroître tracé par une main divine; leur ordonnance doit avoir un caractere sacré qui rappelle l'homme à Dieu, à la Religion, à lui-même. Qu'on y prenne garde, certaines Eglises gothiques modernes, portent cette empreinte: une grande hauteur de voûte qui n'a rien de vulgaire, des nefs & des bas-côtés spacieux, une lumière modérée & analogue aux mysteres, des façdes élevées & pyramidales, une simétrie intérieure dans les côtés respectifs; enfin des dimensions qui annoncent des préceptes suivis, quoiqu'ils soient pour la plupart inconnus, sont autant de beautés qu'on remarque dans quelques ouvrages de ce genre; & qui devroient au moins nous servir de modeles pour la structure des monuments dont nous parlons.<sup>13</sup>*

Out of his own desire to create a sublime work Godefroy accepted this enthusiastic recommendation of the Gothic emanating from a court architect. In another part of his book Blondel gave specific measures for the design of a delicate, feminine architecture "similar to the most beautiful Gothic productions." He advised the use of sinuous lines, such as those produced by arches, and a relatively flat surface, one without bold projections.<sup>14</sup> This architecture, at once feminine and religious, was most appropriate for a chapel dedicated

<sup>13</sup> J.-F. Blondel, *Cours d'architecture enseigné dans l'Académie royale d'architecture* (text 6 vols., plates 6 vols. in 3; Paris, 1771-77), I, 378: "The sublime style of which we speak should be, for example, the very architectural style of our temples; every part, in fact, should seem designed by a divine hand; their disposition should have a sacred character which recalls man to God, to religion, to himself. Note carefully, certain modern Gothic churches convey this impression: a great vaulted height in which there is nothing ungraceful, spacious naves and side-aisles, subdued lighting in accord with the spiritual mystery, lofty and peaked façades, internal symmetry between the respective sides; finally, measurements which show that rules were followed, even though they are for the most part unknown to us—these are some of the beauties which one observes in some works of this style, and which should at the least serve us as examples in the construction of the monuments of which we speak."

<sup>14</sup> Blondel, I, 416, 419-21.

particularly to the Virgin. It was, moreover, a private rather than public structure, so that the informality of the Gothic was the more suitable. Many travelers, especially Mrs. Trollope, commented on the successful evocation of a religious atmosphere in St. Mary's Chapel.<sup>15</sup>

Latrobe also employed the Neo-Gothic, and occasionally for secular works. As early as 1805 he suggested it for the Cathedral of Baltimore, and it is instructive that his reason was close to that of Godefroy and Blondel: "The Veneration which Gothic cathedrals generally excite."<sup>16</sup> While the surface forms employed by these two men were rather different, they shared the desire to evoke the religious atmosphere known to the period as sublimity, a quality attributed to architecture in the second half of the eighteenth century.

Yet their work was not derived totally from the eighteenth century. Godefroy's Battle Monument (1815-25) has been studied sufficiently to show that its sources lie in the actual architecture as well as publications of the nineteenth century.<sup>17</sup> The base, for example, with its slightly battered walls and carefully designed rustication, the canted doorways and cavetto cornices, derived from an Egyptian monument known to Europeans from a book of 1802 commemorating Napoleon's campaign in Egypt.<sup>18</sup> The idea of the huge fasces was Godefroy's, but suggestions for it occurred in French monuments of the period. The female figure representing Baltimore ran counter to theories of the *ancien régime*, which permitted only a royal portrait statue in such a place. The combination of disparate elements—base, fasces, and figure, all vying for attention—was the result of a method of design evolved during the revolutionary period. It is an interesting confirmation of this new mode of design that the author of the publication selected for careful reproduction a Ptolemaic work which was not simply Egyptian, but had ancient motifs fused with Classical elements and ideas. As a result, although Godefroy was a refugee from

<sup>15</sup> Mrs. Frances Trollope, *Domestic Manners of the Americans* (2 vols.; London, 1832), I, 294-95.

<sup>16</sup> Hamlin, p. 236; see also pl. 18.

<sup>17</sup> Robert L. Alexander, "The Public Memorial and Godefroy's Battle Monument," *Journal of the Society of Architectural Historians*, XVII (1958), 19-24.

<sup>18</sup> D.-V. Denon, *Voyage dans la basse et la haute Egypte* (3 vols. and atlas, Paris, 1802), pl. 80.

Napoleonic France, his monument to the citizen defenders of Baltimore retained the elegance, precision, and refinement of the Consulate.

In Europe at the end of the eighteenth century architectural monuments became popular as a means for celebrating the universal nature of man, symbolizing the genius of an individual as a token of humanity's potential. Abstract forms, like the triumphal arch, the memorial column and obelisk, and the pyramid, were generally preferred over the portrait which was too much restricted to a particular individual. In 1805 a design for a pyramidal mausoleum was published in the textbook of J.-N.-L. Durand, one of the most influential teachers of the period.<sup>19</sup> When Latrobe was asked in 1812 to prepare a monument commemorating the disastrous theater fire in Richmond, he designed a large pyramidal mausoleum to hold the remains of the victims.<sup>20</sup> Featuring a rather high, square base, this project led to Godefroy's pyramidal vault, one of a group of four by him in the burial yard surrounding the Westminster Presbyterian Church (Baltimore). It was built shortly before 1815 for James Calhoun, first mayor of Baltimore who died in 1816, and James Buchanan.

Latrobe and Godefroy, then, employed in this country a style of architecture related to recent European developments. Some elements were a generation behind current European practices; some were very close in date to what occurred overseas; and some, indeed, were individual developments going beyond what was being done in Europe. They participated in a movement which, in its day, might well have been called modern architecture.

Now they could not have built their works without support and patronage. Not all Americans cared for this new style, and some were actively opposed to it. Latrobe, for example, was the object of much harsh treatment on this count in Washington, as Godefroy was in Richmond. The latter, by his own difficult personality, often impeded the acceptance of this new style. Yet the fact is that even Godefroy was a success in architecture, not only teaching himself, but actually constructing

<sup>19</sup> J.-N.-L. Durand, *Précis des leçons d'architecture données à l'Ecole Polytechnique* (2 vols.; Paris, 1802-05), II, pl. 1.

<sup>20</sup> *Letterbooks*, Jan. 21, 1812.



several buildings in the new style while in Baltimore. Several pieces of evidence prove that he had barely begun his studies before his exile from France. Baltimoreans accepted and encouraged him as an architect purveying an advanced, modern style connected with Europe, breaking with the existing traditions of American architecture. The handsome Homewood (1803) was essentially traditional in its widespread Palladian plan of a central block with connected wings and in its emphatic decorative forms, like heavy window and door frames and the strong, projecting portico.<sup>21</sup> The Cathedral and St. Mary's Chapel, on the contrary, were new features on the American horizon.

Two levels may be discerned in the architectural expression of the early nineteenth century. A vernacular had been adopted for the great mass of building—houses, churches, utilitarian works with some stylistic pretension, occasional public buildings. This mass of construction was the work of native-born builders who began as carpenters or brick layers and gradually undertook design. Baltimore had numbers of such men who were usually about a generation behind the stylistic leaders representing the second level. To use the term 'cosmopolitan' for the upper level suggests on the one hand the architects' closer relation to contemporary European developments, and on the other hand the broader cultural orientation of the upper class which supported and paid for this architecture.

There can be little doubt that the new style was the expression of a cultural aristocracy. This point is highlighted by Latrobe's past project for Baltimore, the proposed library building of 1817. The library certainly symbolized the highest form of culture for such a verbally inclined society. A glance at the holdings of the Baltimore Library Company (membership by stockholders only) reveals a desire to keep abreast of European literature.<sup>22</sup> Acquisitions included new works in every field of interest, travel, science, mathematics, mechanics, religion, philosophy, the arts, poetry, and novels. In architecture, to be specific, a few technical books on construction, all quite new, accompanied pattern books by men like Sir John

<sup>21</sup> Howland and Spencer, pls. 10-14.

<sup>22</sup> [Baltimore Library Company,] *Catalogue of the Books* (Baltimore, 1809; suppl., 1816, 1823).

Soane, historical studies, and theoretical works. It was for such a collection that Latrobe designed his sophisticated structure. The exterior is a large central cube with gable-roofed projections at either end, the cylinder and dome emerging from the roof, a geometrical composition enhanced by the severe simplicity of the wall planes. Inside there is a complex three-dimensional organization of the voids: small, enclosed rooms on the street level, vaulted chambers above. For the real impact of the spatial organization the viewer must pass through the low entrance vestibule, the first colonnade screen, and the circular colonnade, into the marvelous central chamber which rises up to the dome and great lantern. The interior is a complex merging of the cylinder and cube, and indeed hemisphere, made all the more awesome by the rich texture of the interior decoration and book-lined walls, and by the dramatic play of light and shadow over the surfaces and recesses. Perhaps such intricacy and complexity was beyond the comprehension of most of the citizenry. The number of supporters for the cosmopolitan style was small, but it included men like General Robert Goodloe Harper, Latrobe's friend and the major force behind the library project.

Some elements of American society had special reasons for an interest in the new mode. Freemasonry has always looked upon itself as a brotherhood transcending national boundaries. The Grand Lodge in Baltimore accepted Godefroy's design of 1812 for a new Masonic Hall, a design which contains the germ of the Unitarian Church.<sup>23</sup> Although it was started in 1814, only the foundations were then completed. Not until 1819, when Godefroy was setting out for Europe, was construction taken up again. The design was then reworked by William F. Small who made the building a minor version of the Merchants Exchange. The Unitarians, too, had a special intellectual orientation which sought to give religious experience a broad foundation on man's whole cultural history and achievement, and to extend religious faith into all of man's activities. It is no wonder that they commissioned Godefroy in 1817 to design their temple.

Despite their later conservatism, bankers frequently employed

<sup>23</sup> William Strickland's engraving of Godefroy's design was published in *The Freemason's Library and General Ahiman Rezon*, ed. Samuel Cole (Baltimore, 1817).

the new style, perhaps because no type or standard for bank buildings existed. With the end of the first Bank of the United States numerous state-chartered institutions flourished and soon required permanent quarters. For the Commercial and Farmers Bank in Baltimore Godefroy designed a compact brick structure (1810-12) with an unusual monumental corner entrance of stone bearing relief sculptures of Ceres and Mercury.<sup>24</sup> Many early accounts record the universal admiration for this unique structure. In Richmond, Va., in 1817, Godefroy designed a façade stretched across the front of two adjacent banks.<sup>25</sup> When the Carpenter, Robert Cary Long, Sr., built the Union Bank (1809), he drew upon a recent English publication to update the traditional square brick structure by including such devices as the recessed vestibule with colonnade screen, the arched recesses with windows, and the sculptured panels and pediment.<sup>26</sup> Latrobe designed several banks, the Bank of Pennsylvania (1798-1800), the Bank of Philadelphia (1807-08), the Second Bank of the United States in Philadelphia (1818), the Louisiana Bank (1819-20) in New Orleans. His pupils Robert Mills and William Strickland planned still more. Bankers formed a large portion of the cultural aristocracy which supported the new style.

As it is employed here the term 'aristocracy' refers not to an inbred social class, but rather to a group whose taste set the standards for the most advanced and expensive architecture of the day. Perhaps the closest thing in Maryland to the old meaning of 'aristocracy' was the Carroll family, and they were prime movers behind the Cathedral and St. Mary's Chapel. Charles Carroll of Carrollton was indeed a landed lord, his wealth built upon an agricultural base, like that of George Washington and Thomas Jefferson. But Carroll was also very modern, engaging in urban land speculation and in mercantile activities, characteristic of the class which exhibited the taste here termed aristocratic and cosmopolitan. A relatively recent power in American life, these people were essentially urban,

<sup>24</sup> Wilbur H. Hunter, Jr., "Salvage of 1810 Sculpture," *Journal of the Society of Architectural Historians*, XIV (1955), 27-28.

<sup>25</sup> Mary W. Scott, *Old Richmond Neighborhoods* (Richmond, 1950), p. 136.

<sup>26</sup> Howland and Spencer, pls. 47, 48; cf. John Soane, *Sketches in Architecture* (London, 1798), pl. xxxiv, a publication Long borrowed from the Library Company in March 1808.

drawing their wealth from commercial and financial activities. Robert Oliver is an excellent example of the self-made merchant who acquired millions over a period of a few decades. Other names are familiar in the history of Baltimore, the Pattersons, perhaps the richest family in the city, James Calhoun, the first mayor, Gilmor, Harper, Dugan, Hollins, O'Donnell, and the several Smiths. Holding the highest political and social positions in the city, these people were the chief patrons of Latrobe and Godefroy who embodied in their style the cultural aspirations of these patrician families. Indeed, in Montibello, the home General Sam Smith built in 1799, a prominent figure in this group evidenced his conscious search for a suitable architectural expression. Breaking with traditional planning, he erected a slab terminated by semicylindrical shapes; with a smooth stucco facing and simple openings, the house acquired the severity of the coming manner.<sup>27</sup>

From this background the Merchants Exchange in Baltimore arose as the crowning achievement of the first two decades of the nineteenth century. More than the Cathedral it embodied the nature of the merchant aristocracy, its social, political, and economic status, its desire to be modern, and its cosmopolitan cultural orientation. Several scholars have studied the building, its construction and plan, the way in which Latrobe offered an architectural organism to provide for the large variety of activities to be housed under its roof. The most impressive feature, of course, was the magnificent central chamber crowned by a dome which was the most daring structural feat of the age. Larger than the library proposal of a year later, the interior spatial complex shows the same mind at work.

The building was the basis of the unfortunate quarrel which destroyed the close ten-year friendship between Latrobe and Godefroy. Hamlin was correct in attributing the argument largely to Godefroy's impetuous pride and unreasonableness.<sup>28</sup> Minor points might be added to his account of the personal differences, but it is more important to consider carefully Godefroy's part in the building itself. After the Exchange committee had approved a final design in February 1816, Godefroy submitted another study with a drastically different treatment, so thoroughly demonstrating modern French prin-

<sup>27</sup> Howland and Spencer, pls. 7, 8.

<sup>28</sup> Hamlin, pp. 487 ff.

ciples that it could have been produced in Paris around 1800. Latrobe indicated his own lively interest in this study but pointed out that the pattern had been set.

The large drawing by Latrobe of the approved design has in its author's handwriting the names of Godefroy and Latrobe. Hamlin has suggested that Godefroy was responsible for the small scale of the Gay Street front. We can go further and agree with Latrobe's statement that Godefroy was mainly responsible for this facade. Large arched openings were a feature of Godefroy's buildings, as was also the repetition of the arched shapes in the upper windows. The balanced but unequal rhythm of three openings on the main floor and five on the upper levels had its closest parallel in a well known Parisian theater opened during Godefroy's youth in that city. The design was, in addition, almost anti-architectural in the placement of openings over supporting piers and supporting masses over large voids. Latrobe was never guilty of such an anti-structural organization. The sculpture, too, with its emphasis on Mercury, the god of commerce, and with the allegorical figure of Baltimore on the cornice, so close to the Battle Monument figure, points to Godefroy as the chief designer.

As known from later nineteenth-century photographs the Exchange hardly suggests the promise of the original drawings. It was never entirely completed and the sculptures never made. It was disfigured by later additions at the ends. Painted in almost a harlequin manner, the largeness of the conception was concealed. But the great dome remains a capital accomplishment of Latrobe's career and a climactic expression of the merchant princes. The building was indeed the happy result of architectural vision and mercantile provision.

Would an architectural style expressive of the merchant class have arisen if Latrobe and Godefroy had not been present? In all probability, yes. Charles Bulfinch in Boston and Thomas Jefferson in Virginia were following other paths to similar goals; William Thornton in his erratic manner and J.-J. Ramée, another French refugee, might have figured larger in our architectural history. Despite their differences, Latrobe and Godefroy were fortunate in that their active periods coincided with the cultural dominance of an affluent group which knowingly accepted an architectural expression of its particular nature.

Baltimore was a microcosm, representing in itself the changes

occurring throughout the nation. It experienced a tremendous expansion of its population and wealth in the decades around 1800. Commercial shipping, the basis of its wealth, kept the city in touch with international events in Europe and Latin-America. Still a young city, for the site was first settled in 1729, it was free of binding social, political, and architectural traditions. Its need for architects attracted men like Latrobe and Godefroy who had the background and potential for developing a new stylistic expression. It paid for their expensive architecture and their desire to replace brick with stone or at least a stucco facing to simulate stone, but the impressiveness of the new buildings arose from the effect of the architectural forms rather than from surface elaboration. Solid, compact, essentially horizontal, the sophistication of the geometrical shapes and voids appealed to the merchants whose commercial dealings had familiarized them with monumental architecture in other countries. Primarily an urban architecture, it was related to changes occurring everywhere from Maine to Louisiana. Latrobe and his pupils practiced extensively in Philadelphia, where material conditions were similar to those in Baltimore, and he left other examples of the style in places he visited. His manner was a high-point in the over-all Federal style which replaced the Georgian Colonial.

The character of the cosmopolitan style is clear from a contrast with what preceded it. When compared with what followed it, its patrician nature becomes more obvious. For the style was altered, by a pupil of Latrobe, to become the symbol of a new class. In 1828 William F. Small made eight drawings for a projected warehouse on one side of the Exchange.<sup>29</sup> His drawing technique derived directly from Latrobe's and although he had to continue the stylistic treatment of the completed building, Small made simplifications within this framework, reducing the arched windows to rectangles and eliminating horizontal bands. In works of the mid-twenties he converted the Latrobean style into a mannerism. In Barnum's City Hotel (1825-27), for example, he treated the walls of a huge structure like a sheet of drawing paper over which he spread a pattern composed of motifs drawn from his teacher's work—triplication

<sup>29</sup> Robert L. Alexander, "William F. Small, 'Architect of the City'," *Journal of the Society of Architectural Historians*, XX (1961), 00-00.

in the over-all division of the walls, triple openings in the doorways and windows on various level, frequent use of the arched recess containing a window. The sophisticated organization of geometric solids and the subtle composition of interior voids, which characterized the work of Latrobe and Godefroy, are no longer present in, for example, Small's Archbishopric (1829). Simple, substantial blocks bearing a surface pattern of almost regularity, the exterior heralds the internal division into rectangular rooms lacking octagonal and curved shapes as well as the recesses which enlivened Latrobe's interiors.

Not only architecture, but society also changed. Revision of the state constitution and the city charter in the first decade of the century gave suffrage to the more numerous mechanics, and Edward Johnson, a brewer, served many years as the mayor (1808-16). Small's father, a carpenter, and William Stuart, a stone cutter, were prominent mayors during the twenties and thirties. A middle class composed of skilled artisans achieved political control. As it moved from political to cultural dominance, the mechanic class modified the style of its predecessor to establish a symbol of its new status. William Small, the most active architect of the day, embodied in his work the virtues eternally upheld by the middle class—directness, honesty, economy, practicality, and sobriety.

Behind Latrobe and Godefroy lay the provincial Baroque and the agricultural Palladianism of the eighteenth century. Mt. Vernon, Monticello, and even Thornton's Capitol were products of an age of the amateur. The learned gentleman-farmer had the time, interest and ability to turn his hand to warfare, to diplomacy and politics, to architecture. In the bourgeois, Jacksonian decades of the nineteenth century, the twenties and thirties, architecture became a business. The profession was sufficiently recognized so that first moves were made toward the organization of the American Institute of Architects in 1835-36. The architect became a specialist, called upon for his services just like a bookkeeper, a machinist, or a financial expert. Latrobe and Godefroy stood between these two stages as they introduced professional standards and ethics into the practice of architecture. The merchant prince had created an urban society and assumed the political and social place of the born gentleman. Latrobe and Godefroy housed this new patrician in an architecture symbolic of his position.

# MARYLAND AND THE PRESIDENTIAL ELECTION OF 1800

By EDWARD G. RODDY

## 1.

OF the significant and bitterly contested national elections of the nineteenth century—1800, 1828, 1840 and 1896—none was more significant than the first. From New Hampshire to Georgia, Republicans and Federalists struggled and fought for their ideals and very existence as political parties. The election in Maryland was particularly interesting. Prior to the campaign of 1800 the state was preponderantly Federal and the leading citizens and statesmen were, almost to a man, staunch Federalists. Suddenly, within the space of four months, Republican victories swept the Federalists from their dominant position forever.

A foretaste of the campaign manifested itself in the mid-term elections of 1798 in Maryland. George Salmon<sup>1</sup> wrote to James McHenry that

wherever I went, the ensuing election for Representatives to Congress seemed to take up the entire thoughts of the People, and party spirit rages every where with great violence. . . . In this Town [Baltimore] and County, parties are beyond anything ever before known. . . .

The background to this upsurge of "party spirits" is to be found in certain legislation enacted into law during 1798 by the Federalist controlled Congress. Three measures in particu-

<sup>1</sup> In addition to Claude G. Bower's, *Jefferson and Hamilton, The Struggle for* George Salmon to James McHenry, September 25, 1798, McHenry Papers, Maryland Historical Society. *Democracy in America* (New York, 1925) and Charles M. Beard's, *Economic Origins of Jeffersonian Democracy* (New York, 1915) two recent studies shed additional light on the period. Manning J. Dauer, *The Adams Federalists* (Baltimore, 1953) and Noble E. Cunningham Jr., *The Jeffersonian Republicans: The Formation of Party Organization, 1789-1801* (Chapel Hill, 1957).



lar provoked a storm of passions on both sides of the political fence. The Alien and Sedition Acts were intended to crush Irish and French activities in the United States and to silence Republican criticism of the administration of John Adams. A second measure authorized the President to raise a provisional army. Publically, the Army Bill was defended as a means of girding the nation against an attack by France. Privately, many Federalists in Maryland voiced the hope that it would serve as an anti-Republican branch of the government.<sup>2</sup> On the same day that the Sedition bill was approved, a direct tax was levied on houses, lands and slaves. A heavy progressive tax on houses in cities failed to placate Southern ire at the fifty cent head tax on every slave between the ages of twelve and fifty. Rural areas of Maryland with large slave populations were as angry at the new tax measure as were the citizens of Baltimore who objected to the tax on dwellings.<sup>3</sup>

To Maryland Republicans, as to Republicans everywhere, the three measures seemed proof that the aristocrats were forging weapons to crush all political opposition and fasten their lasting grip upon the nation. In addition to drawing down upon themselves the wrath of Republican opposition with these unpopular acts, the Federalist party in 1799 split down the middle over the issue of a peace mission to France.<sup>4</sup> Most Federalists in Congress condemned it as "calculated to revive French principles and strengthen the party against the government." Maryland's leader of the "High Tory" faction, James McHenry, confided to George Washington:<sup>5</sup>

<sup>2</sup> J. Ash to James McHenry. August 24, 1798. Bernard C. Steiner. *Life and Correspondence of James McHenry* (Cleveland, 1907), p. 333.

<sup>3</sup> *Baltimore American*, November 1, 1800.

<sup>4</sup> Relations between the United States and France were badly strained following the XYZ affair and naval clashes were becoming dangerously common by 1798. Determined to take any step possible to prevent war, President Adams (against the advice of his cabinet) ordered a peace mission to Paris in the fall of 1799. By September, 1800 the peace commission had concluded a treaty with Napoleon and the danger of war disappeared.

<sup>5</sup> James McHenry to George Washington, November 10, 1799. George Gibbs, *Memoirs of the Administration of Washington and Adams* 2 vols., (New York, 1846), II, 281-282. The High Tories or anti-Adams Federalists were led by Alexander Hamilton, commanding general of the new provisional army. His three chief lieutenants were members of Adams cabinet; Thomas Pickering, Secretary of State, James McHenry, Secretary of War and Oliver Wolcott, Secretary of the Treasury. Adams dismissed Pickering and McHenry in the

. . . the President's mission is become an apple of discord to the Federalists, that may so operate upon the ensuing election . . . as to put in jeopardy the fruits of all their past labours by consigning to men, devoted to the French innovations and demoralizing principles, the reins of government. . . .

A week later Washington replied to this confidential letter "with the contents of which I have been stricken dumb."

Indeed, "the apple of discord" was treason to many in the Federal ranks. The High Tories wanted war with France. It would secure the election of 1800 and destroy the Republican party. Years later, John Adams could write of his enemies in the party.<sup>6</sup>

peace with France, was, therefore treason against their fundamental maxims and reasons of state. . . . No wonder they hate the author of their defeat.

Once the mission departed for France in October, 1799, the party split became irrevocable.<sup>7</sup> In December, the High Tories attempted to form a ticket which would exclude Adams. They only reluctantly abandoned the scheme when it was learned that New England would not desert the president.<sup>8</sup>

Maryland itself was a microcosm of Federal disunity. At the conclusion of the Fifth Congress (March 3, 1799), Representative John Dennis, of Worcester county, headed a delegation of Maryland Federalists who pledged their support to President Adams if he would institute a mission to make peace with France and dismiss McHenry and Pickering from the cabinet.<sup>9</sup> Thomas Johnson, influential Montgomery county

spring of 1799 when he learned of their disloyalty. Wolcott continued in office (unsuspected by Adams) until February, 1801.

<sup>6</sup> John Adams to William Cunningham, March 20, 1809. *Adams-Cunningham Correspondence, 1803-12*, edited by William Cunningham Jr., (Boston, 1823), p. 101.

<sup>7</sup> The commission was headed by William Vans Murray, a Marylander. For an excellent study of the peace commissioners see "William Vans Murray and the Diplomacy of Peace: 1797-1800," *Maryland Historical Magazine*, XLVIII (1953).

<sup>8</sup> Samuel Eliot Morison, *The Life and Letters of Harrison Gray Otis, Federalist, 1765-1848*, 2 vols. (Boston, 1913), I, 185; James McHenry to John McHenry, May 20, 1800, Gibbs, *op. cit.*, II, 347.

<sup>9</sup> *Ibid.*, II, 352; C. F. Adams, *The Works of John Adams*, 10 vols. (Boston, 1850-56), IX, 48-49.

Federalist, urged Adams to pursue his peace policy and pledged his support in November.

On the other hand, "many of the leading men in Maryland . . . expressed their opinions that Mr. Adams ought not to be supported; his partisans say that a British faction exists in this country, and that the late measures [concerning the peace mission to France] were calculated to break up their party.<sup>10</sup> The most influential of the anti-Adams Federalists in Maryland were Charles Carroll of Carrollton, venerable, titular head of the party and James McHenry, ex-secretary of war. Both men were confidants of Hamilton and both endorsed the latter's pamphlet attacking President Adams. In a rare outburst of anger, Carroll wrote to McHenry in November: <sup>11</sup>

The President remarks that we are fallen upon evil times; I fear a great deal of the evil may be attributed to his shifting conduct, his passions, his indiscretion, vanity and jealousy . . . his integrity cannot compensate for his weaknesses, which unfit him for his present station. . . . Surely it must be admitted that Mr. Adams is not fit to be President, and his unfitness should be made known [by means of Hamilton's pamphlet] to the Electors and Publick; I conceive it a species of treason to conceal from the Publick his incapacity. . . .

Offsetting the antipathy of Carroll and McHenry, however, was the personal attachment to Adams of Benjamin Stoddert, Secretary of the Navy, Justice Samuel T. Chase, his brother Jeremiah, Philip Barton Key and lesser Federalists.<sup>12</sup> These latter men were determined to support Adams for re-election but apparently concurred with the decision of the party caucus to support both Adams and Charles Cotesworth Pinckney of South Carolina "without giving one a preference to the other."<sup>13</sup>

<sup>10</sup> Oliver Wolcott to Chauncey Goodrich, July 20, 1800. Gibbs, *op. cit.*, II, 382.

<sup>11</sup> Charles Carroll to James McHenry, November 4, 1800. McHenry MSS, 2d Series, Library of Congress. Hamilton's pamphlet, *Letter from Alexander Hamilton concerning the public conduct and character of John Adams, Esquire, president of the United States* (New York: Printed for John Lang by G. F. Hopkins, 1800) was intended for private circulation among certain Federal leaders. Burr somehow obtained a copy and published it on the eve of the South Carolina election. Historians attribute the loss of that state to the publication of Hamilton's bitter attack on Adams.

<sup>12</sup> James McHenry to Oliver Wolcott, September 23, 1800. Gibbs, *op. cit.*, II, 419; Steiner, *op. cit.*, p. 463; Dauer, *op. cit.*, p. 255.

<sup>13</sup> James McHenry, May 20, 1800. Gibbs, *op. cit.*, II, 347; Alexander Hamilton

On July 1st, Hamilton, leader of the Pinckney forces, cautioned Carroll:<sup>14</sup>

. . . it is not advisable that Maryland should be too deeply pledged to the support of Mr. Adams . . . this gentleman ought not to be the object of the federal wish . . . if he is supported by the Federal party, his party must in the issue fall with him.

Admitting that most of the Federalist leaders "of the second class" continued to prefer Adams, the New Yorker urged Carroll to work for the election of Pinckney as president. Within a month, George Cabot informed Hamilton that Robert Goodloe Harper (soon to become the son-in-law of Charles Carroll) reported from Baltimore "that our friends may now count with some certainty, indeed, very great certainty on an unanimous vote for General Pinckney in Maryland."<sup>15</sup> The Philadelphia *Aurora*, a leading Republican newspaper, gleefully editorialized on the three political parties in the nation; "the Republicans, the Adamites and the Pickeronians."<sup>16</sup>

## 2.

A perusal of Maryland newspapers indicates that the 1798 triad of Federalist laws, together with attacks on the aristocracy, the national debt and the "eight per cent loan" were the main weapons in the Republican campaign arsenal.<sup>17</sup> The Federalists concentrated their heavy artillery on Jefferson's "atheism," his authorship of the Mazzei letter, his attachment to the principles of the French Revolution, the Virginia and Kentucky Resolutions and the "Jacobin" predilections of Re-

to Thomas Sedgwick, May 4, 1800, *The Works of Alexander Hamilton* edited by John Hamilton, 9 vols. (New York, 1831), VI, 436.

<sup>14</sup> *Ibid.*, VI, 446.

<sup>15</sup> George Cabot to Alexander Hamilton, August 21, 1800, Hamilton MSS, vol. 78, Library of Congress. Harper, still a South Carolina member of the House at this time was extremely active in Maryland politics during 1800.

<sup>16</sup> *Aurora*, May 16, 1800.

<sup>17</sup> At the insistence of Hamilton and Wolcott, the government floated a \$5,000,000 loan at eight per cent in 1800. The Republicans made much of the fact that Adams had recommended six per cent interest.

<sup>18</sup> The "Mazzei letter" was written by Jefferson to a Tuscan friend at the height of the Jay Treaty quarrel in 1796. It contained several unfavorable references to President Washington and the "anglo-monarchical aristocracy" in the United States.

publicans in general.<sup>18</sup> Jefferson was even accused of having introduced the Hessian fly into America.<sup>19</sup>

The Republican Congressional caucus had decided upon Thomas Jefferson and Aaron Burr as presidential and vice-presidential nominees respectively, and the state caucus at Annapolis endorsed the decision. The very idea of a caucus was so unpopular among the general populace, that both parties usually kept caucus news out of the public press. In Maryland, as elsewhere, Republican party organization consisted principally of a system of committees which nominated candidates and directed the party campaigns.<sup>20</sup>

As early as March, 1800, Republican committees in Allegany, Washington and Frederick counties met and nominated a candidate for Congress. Correspondence committees, patterned on the pre-Revolutionary models, soon attracted the anger of the less well organized Federalists. The county convention, introduced in Baltimore after 1797 and in the counties after 1799, gradually replaced the old system of individual candidates bringing themselves before the public in the local press. By 1800, nominations were usually made by a third party at the county conventions. These latter assemblies (both Republican and Federalist) were usually "attended by numerous and respectable citizens."<sup>21</sup>

From the amount of Federalist press energy expended in attacks on Republican clubs, organizations and corresponding committees, and the relative silence of the Republican journals concerning Federalist "machinery" it seems safe to surmise that the latter were not well organized. Having been in power at both the state and national level for a dozen years and possessing patronage and wealth, it is likely that prior to 1800 there had been no need for party organization. The Republicans, on the other hand, as the "outs" had carefully built up a national and state organization in anticipation of the struggle of 1800.<sup>22</sup>

<sup>18</sup> *Baltimore American*, October 27, 1800.

<sup>20</sup> *Easton Maryland Herald*, September 4, 1800.

<sup>21</sup> *Aurora*, March 31, 1800; Thomas Boylston Adams to William Shaw, September 13, 1800, "Letters of Thomas Boylston Adams, 1799-1823," *Proceedings American Antiquarian Society*, New Series, vol. 27 (Worcester, Mass., 1917), p. 128; George D. Leutscher, *Early Political Machinery in the United States* (Philadelphia, 1903), p. 103.

<sup>22</sup> Cunningham, *op. cit.*, Ch. VII.

The newspapers of the state were, for the most part, Republican. Baltimore had both a Federalist and a Republican daily paper; the *Federal Gazette* and the *American*. The *Maryland Gazette* of Annapolis and the *Easton Eastern Shore Intelligencer* were Federal. Easton also had an opposition paper, the *Republican Star*. The *Maryland Herald*, Easton's third journal, leaned towards Republicanism. Fredericktown had a short-lived Republican paper, *Rights of Man*. The *Cabinet* and the *Centenial of Liberty*, both published in George-Town were quite sympathetic towards Jefferson. The *Maryland Herald* of Elizabethtown was Republican. The most influential German language newspaper in the state *Westliche Correspondenz*, published by John Gruber in Hagerstown was violently Republican.<sup>23</sup> Aside from the two Baltimore papers, most journals were published weekly or bi-weekly, depending upon advertisements, availability of news and disposition of subscribers.<sup>24</sup>

The best organized and most efficient of all the Republican groups in Maryland was in Baltimore. General Samuel Smith, wealthy merchant, turned politician, directed party operations in the third largest city of the nation. The Republican Society of Baltimore, in existence since 1794, played an active and vigorous role in the campaign of 1800. Some idea of its make-up may be seen in the Fourth of July toasts which were drunk by the Society at Fell's Point. During the festivities, toasts were proposed to Maryland, George Washington, the United States of America, Thomas Jefferson, General Smith, France, the Republicans of Ireland and the merchants and mechanics of Baltimore.<sup>25</sup>

The *Federal Gazette* voiced constant dislike and outrage at the daring of this Republican Society for having "insolently dictated to the people of Baltimore county whom they ought to choose to represent them as delegates to the General Assembly." The "dictation" consisted of regular advertisements in the *American*, calling upon Baltimore voters to support the Republican candidates! The Federalist journal pointed out that

<sup>23</sup> Dieter Cunz, *Maryland Germans* (Trenton, 1948), pp. 174-75.

<sup>24</sup> Apparently the *Federal Gazette* had a daily circulation of 1500, as large as most U. S. dailies.

<sup>25</sup> *American*, July 7, 1800. Baltimore, unlike the other major cities of the United States, was a stronghold of Republicanism before 1800.

only cities were "cursed" with Jacobin clubs; an irony which recalls Jefferson's attitude towards the mobs of great cities, as expressed in his *Notes on Virginia*. Aside from "their endless work in organizing all these city clubs," the *Federal Gazette* found fault with General Smith and "his republican townies" for "publically interfering in rural elections."<sup>26</sup>

Despite the superior organization of the Republican party, Maryland was predominantly a Federalist stronghold in early 1800. From the time of the ratification of the Federal Constitution the Free State had been a loyal and conscientious supporter of Federalist policies. In the preceeding presidential elections, she had voted for Washington and Adams. Only in 1798 did the growing Republican strength manifest itself in the mid-term Congressional elections when the Jeffersonians picked up an additional Maryland seat in the House of Representatives. Although the Maryland Federalists numbered five, in the 6th Congress, to the Republicans three, it seems evident that without this additional Republican member in the Maryland delegation the crucial battle of February, 1801 might have gone against Jefferson.<sup>27</sup>

The General Assembly could usually muster a two-to-one Federalist majority in the lower house while the Senate was entirely Federal. Every governor had been a Federalist since the formation of the Union. Briefly, a handful of influential, wealthy, conservative aristocrats dictated the choice of a majority of the state's voters. Not until 1800 was their power challenged and toppled by Republican opposition.<sup>28</sup>

Early in the campaign year, it appeared quite uncertain that the Republicans would be able to carry the election in Maryland. In an attempt to stem the growing influence of Hamilton

<sup>26</sup> *Federal Gazette*, October 1, 1800. To reduce violence in city elections, the General Assembly divided Baltimore City into voting districts in 1798. In 1801 the *viva voce* method of voting was replaced by the ballot.

<sup>27</sup> *Infra*.

<sup>28</sup> According to the Constitution of 1776, suffrage in Maryland was extended to "all males, white or black, above the age of twenty-one, with freeholds of fifty acres in the county in which they live and vote, or property over the value of thirty pounds of current money, in the State, and resident in the county more than twelve months." Bernard C. Steiner, *Citizenship and Suffrage in Maryland* (Baltimore, 1895), p. 27. In 1800 Edward Lloyd sought to abolish the property qualification. The measure passed in the House of Delegates but was quietly amended to death in the Senate.

and the "Tory war party" the idea of a coalition with Adams caught the fancy of Maryland Republicans. Samuel Smith actually discussed the question with Benjamin Stoddert, but the Republican victory in New York and the split among the Federalists made the coalition scheme unnecessary.<sup>29</sup>

Quite naturally, the vast majority of wealthy Marylanders were aligned with the Federalist party but the Republicans could boast of two extremely rich and able partisans: Edward Lloyd, largest slave holder in Talbot county and Samuel Smith, merchant prince of Baltimore. Next to Smith, the most influential of Maryland Republicans were John Francis Mercer and Judge Gabriel Duvall, Chief Justice of the General Court. Mercer, former member of the House of Representatives, was a fighter and intriguer par excellence in the cause of Jefferson. Duvall, as prolific with the pen as he was tireless on the speaker's platform, made his home in Annapolis the unofficial headquarters of the party. From here, and from Smith's residence in Baltimore, emanated the plans and strategy of the Jeffersonians.<sup>30</sup>

### 3.

Quite unexpectedly, the Republicans were supplied with the most effective and deadly weapon of the whole campaign, and the Federalists supplied this instrument of their own destruction. This crucial issue concerned the method of selecting the presidential electors. From 1795 until 1833, presidential electors in Maryland were chosen by district ticket, a practice Maryland was the last of the states to abandon. In 1800, however, an attempt was made to change the system. In the failure of this attempt lies the decline of the Federalist party in Maryland.

As the results of elections in neighboring states became known during the spring and summer of 1800, Federal leaders determined to counteract the Republican *coup* in Virginia. The Republican legislature in the Old Dominion had changed

<sup>29</sup> Benjamin Stoddert to John Adams, October 27, 1801. Adams, *op. cit.*, X, 4.

<sup>30</sup> Perhaps the best reasoned and most logical of all the mass of political writing in the Maryland campaign was a series of six articles in defense of democracy written by Duvall and published in the *American* between June and October.



from a district to a general ticket in early 1800 to prevent one or two electoral votes going to Adams. The Republican measure was a brazen attempt to secure the entire electoral vote of Virginia for Jefferson.

Hamilton later suggested the same strategy to Governor Jay, when the Republican victory in New York threatened to put the Empire State at the side of Virginia. Jay's honorable but politically unwise reply, "Proposing a measure for party purposes which it would not become me to adopt," put an end to Federalist hopes in New York.<sup>81</sup> In other states the system of selecting electors likewise became a political football. As early as February, 1800, the Boston *Columbian Centenial* called for a change in the election laws of every state where there was the least possibility of the Republicans winning a single electoral vote.<sup>82</sup>

In July, a thirty-page pamphlet quietly found its way into the hands of every influential Federalist in Maryland.<sup>83</sup> Signed "Bystander," but written by the ubiquitous Robert Goodloe Harper, it urged a legislative choice of presidential electors. Within a week of its publication, Federal and Republican newspapers in Baltimore and elsewhere reprinted it with appropriate editorial comment. That the South Carolinian acted on orders or took upon himself the writing of the pamphlet is not clear, but within a month Hamilton instructed McHenry: <sup>84</sup>

. . . I think, at all events, Maryland had better choose by the Legislature. If you have a majority of Federal votes throughout, we can certainly exclude Jefferson and, if we please, bring the question between Adams and Pinckney to the House of Representatives. . . .

Accordingly, the Federalist party in Maryland ran candidates who advocated a legislative choice of presidential electors.<sup>85</sup> A

<sup>81</sup> Beard, *op. cit.*, p. 372.

<sup>82</sup> Boston, *Columbian Centenial*, February 8, 1800.

<sup>83</sup> Robert Goodloe Harper, *Bystander: or a Series of Letters on the "Legislative Choice" of Electors in Maryland* (Baltimore: Yundt and Brown, printers, 1800). The *Aurora* of September 20, 1800 observed that Harper "is busy distributing Bystander" on the eastern shore.

<sup>84</sup> Alexander Hamilton to James McHenry, August 27, 1800. Steiner, *op. cit.*, p. 466.

<sup>85</sup> Claude Bowers in *Jefferson and Hamilton* remarks that when the test came "the courage of the Marylanders failed and no change was made." p. 483. No

shrewd Virginia observer of the Maryland political scene had informed Jefferson of the Federalist plan before it was actually put into operation.<sup>36</sup>

I was a few weeks ago called into Maryland. . . . I found whilst there that a considerable change in public opinion had taken place and I believe will manifest itself at the ensuing elections so as to confound the aristocracy of that state. This apprehension inclines many of them to attempt a change in the mode of chusing Electors. But the attention of the people is so alive on the subject that some of the hardiest of the Tories hesitate at making the experiment and are fearful of the consequences. Yet I believe it will be tried. . . .

The outcry from Republicans and some Federalists themselves was loud and instantaneous. The press of both parties was filled with arguments for and against taking the choice of electors from the people and investing it in the General Assembly. The average citizen became so aroused at this attempt to strip him of political power, that several Federalist candidates refused to take a public stand in favor of the legislative choice. Outspoken advocates of the move were pilloried in Baltimore and Washington newspapers. Charles Ridgley (of Hampton), Charles Ridgley (of William) and James Carroll, Federalist candidates for the House of Delegates from the city of Baltimore appealed in vain to the voters to fight fire with fire and match the Republican move in Virginia and Pennsylvania.<sup>37</sup>

Discussing this proposal to "carefully refine the suffrage," a correspondent in the *Centenial of Liberty* succinctly observed, "you will vote for the man, who appoints the second, who chuses the third who elects the president." Over and over again, the Republicans cried that the Federalist proposal was proof of the monarchical inclinations of the aristocrats, and so it seemed to the average citizen.<sup>38</sup>

Stung and shocked by this sudden storm of criticism, the change was made, but only because the Federalists lost the election for advocating the very measure which Bowers states they abandoned.

<sup>36</sup> S. T. Mason to Thomas Jefferson, July 11, 1800. Jefferson MSS, vol. 107, Library of Congress.

<sup>37</sup> *Federal Gazette*, July 31, August 1, 5 and 7, September 11, 30, 1800; *American*, August 8, 19, 1800; *Centenial of Liberty*, July 18, 29, September 2, 12 and 23, 1800.

<sup>38</sup> *Ibid.*, September 5 and 26, 1800; *American*, August 8, 1800.

conservatives clumsily, undiplomatically insisted that the step was purely temporary to offset the "Jacobins" and that the choice would be returned to the people immediately following the election. Alexander Rind, Federalist editor in Washington, bitterly complained that it was monarchy both to support a legislative choice in Maryland and to oppose it in Pennsylvania according to the Republicans.<sup>39</sup>

By late Summer, anti-Federal sentiment had so mushroomed that Charles Carroll sorrowfully took pen in hand to appraise Hamilton of the dangerous situation:<sup>40</sup>

I wish it were in my power to give you pleasing intelligence of the politics in this state. Our county (Anne Arundel), which was lately so federal, is at present much divided in the upper part. . . . I suspect there is a majority for anti-Federal candidates to our State Legislature. This change of sentiment has been principally effected by a few characters, who, profiting by the report that our legislature would take from the people the right of choosing the electors . . . have infused such jealousies in the minds of the people, that I fear the federal ticket will not prevail. . . . Notwithstanding the arts, and lies, and indefatigable industry of the Jacobins in this State, I am of the opinion a great majority . . . are friendly to the federal government and its measures.

The unhappy lord of Carrollton Manor concluded by hoping for a Federal House of Delegates and a "*pro hac vice*" legislative choice of electors.

Notwithstanding the blunder of injecting the electoral issue into the campaign, it is quite possible that the Federalists might have fared better in the election had they actively campaigned. Unlike their rivals, however, they were not united on their presidential choice, nor were they as "indefatigable" and enthusiastic. The tidings which Hamilton received from the poet-politician McHenry were as discouraging as Carroll's letter:<sup>41</sup>

. . . What appears to be the present state of the public mind in Maryland as it respects the approaching election for President? As far as my observations extend, there is every symptom of languor,

<sup>39</sup> *Washington Federalist*, November 8, 1800.

<sup>40</sup> Charles Carroll to Alexander Hamilton, August 27, 1800. Hamilton, *op. cit.*, VI, 467-468.

<sup>41</sup> James McHenry to Oliver Wolcott, October 12, 1800, Gibbs, *op. cit.*, II, 433.

and inactivity, with some exceptions, among the well informed Federalists. . . . Mr. Charles Carroll of Carrollton, did not go down to Annapolis, from his country residence, to aid in the election of members for our legislature. I also know many others who did not vote on the occasion. . . . Such my dear sir, is the sad situation into which a Federal state has been brought. Will Providence yet condescend to save us?

Terming the conduct of the Federalists "timid, tremulous, feeble, deceptive and cowardly," McHenry bitterly observed that "they write private letters . . . to each other but . . . do nothing to give a proper direction to the public mind." This latter criticism, coming from one of the busiest pens on the Atlantic seaboard, applied equally to the writer.

There were some Federalists in Maryland who actively campaigned throughout the summer and fall, and none more vehemently than Justice Samuel T. Chase. Federals and Republicans alike toured their districts in July and August, making speeches and shaking hands wherever they could assemble a crowd of voters. Opposing candidates often addressed the same audience from the same platform. This form of electioneering, known as canvassing, was quite common in most of the Southern states, though practically unknown in New England and New York. One of the best accounts of a Maryland canvass was written by Thomas Bolyston Adams, son of President Adams.<sup>42</sup>

The Supreme Court are waiting for the Hon'ble Judge Chase who is said to be too much engaged in Electioneering, to be able to attend. He is the only man in Maryland perhaps, able to cope with Mercer at, what they call, a canvass. These are always held, in different parts of the state of Maryland . . . when there is known to be a great concourse of people—at a horse race—a cock fight—or a Methodist quarterly meeting. Here, the candidates for political honors . . . assemble with their partisans—they mount the Rostrum, made out of an empty barrell. . . . Harrangue the Sovereign people. . . . Such was the mode pursued lately at Annapolis and Elk Ridge and elsewhere. Colonel Mercer, who is a Sovereign Demagogue—a fluent and audacious Speaker and a deadly Jacobin—is running

---

<sup>42</sup> Thomas Boylston Adams to William S. Shaw, August 8, 1800. T. B. Adams *Letters*, pp. 120-22. Shaw was a cousin of young Adams and private secretary to the President.

as a member of the Assembly. Mr. Key [Philip Barton] . . . is also a candidate, but in a different district. These gentlemen met upon the same ground at Annapolis, and canvassed for votes. Key was at home, Mercer was in some measure a stranger, but the contrast . . . was very striking. Key triumphed and Mercer slunk away. But at the next place of meeting Mercer played the perfect Buffoon to the singular entertainment of the Sovereign Assembly. He laughed, he cried, he stormed by turns, by turns he was placid. . . . He abused and vilified President Adams administration and extolled the virtues of George Washington and Mr. Jefferson.

Certainly a jaundiced view of democracy in action, but no more so than that of another Federalist traveler in Maryland who shuddered at the sight of candidates "soliciting the favor of individuals, with whom they associate on no other occasion, and men of the first consideration condescending to collect dissolute and ignorant mobs of hundreds of individuals, to whom they make long speeches in the open air."<sup>43</sup>

Two of the largest canvasses of the summer were arranged by the Republicans and held at Annapolis and Elk Ridge in late July. As young Adams remarked, Mercer and Chase were the principal attractions at each gathering. The patience (if not the interest) of the Elk Ridge assembly appears quite remarkable when contrasted with the staying power of a modern voter. The *Centenial of Liberty* reported that Colonel Mercer was on his feet for four hours, "frequently interrupted by the contradictions and buffoonery of Samuel Chase," while the latter took another two hours to deliver the Federalist rebuttal to Mercer's attack. Militia gatherings and even church services were frequently the scene of campaigning by candidates of both parties.<sup>44</sup> Considering the heat of the campaign and the tempers of both ultra-Federalists and extreme Republicans, violence was relatively rare.<sup>45</sup>

Competing with the excitement of Gabriel's uprising in Virginia, peace in Europe and yellow fever in Baltimore, the candidates of both parties made their final appeal to the voters of Maryland in late September and early October.<sup>46</sup>

<sup>43</sup> Oliver Wolcott to Fisher Ames, August 10, 1800. Gibbs, *op. cit.*, II, 404.

<sup>44</sup> *Centenial of Liberty*, Aug. 15, 1800; *American*, Aug. 22, 1800; *Maryland Gazette*, October 2, 1800. *Centenial of Liberty* Sep. 5 and 26, October 3, 1800.

<sup>45</sup> *American*, October 22, 1800.

<sup>46</sup> Federalists attributed the slave insurrection to French influence and accordingly blamed the Republicans.

## 4.

On October 6, 1800, some 20,000 Maryland voters walked and rode to the polling places throughout the sixty-six voting districts of the state and ministered a sound drubbing to the Federalist party.<sup>47</sup> Not only was it the first defeat of any importance which the party had suffered, it marked the beginning of the end of Federal rule in the state and nation.

The new House of Delegates had a Republican majority of ten in a total membership of eighty. Of the eight members elected to the Congress, five were Jeffersonians. Federalist majorities were recorded only in the old conservative strongholds; the five lower counties of the eastern and western shores (St. Mary's, Charles, Dorchester, Somerset and Worcester), the Potomac river counties of Prince Georges and Montgomery and the western county of Allegany. It is likely that a slave insurrection in Virginia, attributed to French agitation by Federalists, hurt the slight Republican chance for victory in these six heavy slave counties.<sup>48</sup> The remaining eleven counties of the state, together with the towns of Annapolis (stronghold of the old Federal party!) and Baltimore, were overwhelmingly Republican.<sup>49</sup> The contests in Talbot and Calvert were relatively close, but the Republicans elected three of the four members to the House of Delegates in each county.<sup>50</sup> Allegany county went Federalist by a majority of only ninety-three votes. Worcester, Somerset and St. Marys were the three areas wherein Republican strength was nil.

Irregularities in the voting procedure were charged by both parties, but it does not appear that multiple voting, the ballots

<sup>47</sup> According to Leutscher's study of Maryland suffrage during this period, the average Federal and State Election returns for 1799-1800 were 20,139 in a total white population of 216,326. The ratio of actual voter to the white population stands at .090 for 1800. Leutscher, *op. cit.*, pp. 25 and 60.

<sup>48</sup> These eight Federal counties comprised but 32% of the total white population of the state but almost 50% of the slave population.

<sup>49</sup> Some Federalists attributed the Republican vote in the farming regions to rural distrust of the growing power of Baltimore—citadel of Jeffersonianism in the state! See Tyler, *op. cit.*, p. 90.

<sup>50</sup> Among the defeated candidates in Calvert county was the young Roger Brooke Taney whose endorsement of a legislative choice of electors cost him his bid for reelection to the House of Delegates. The single Federal candidate in Talbot county who won his contest ran on a ticket *opposing* a legislative choice of electors.

of free negroes or the votes of paupers were of any considerable importance in the total vote.<sup>51</sup>

It is difficult to explain this party defeat without attributing it, in the main, to the electoral issue and the division within the Federalist ranks. There were other issues which also contributed to the Republican victory. The Germans of the state, like their relatives in Pennsylvania, loyal supporters of Federalism until 1798, had gone over in droves to the opposition with the passage of the Alien and Sedition Acts. The report that the Federals wished to change the government into a monarchy also alienated the Germans.<sup>52</sup> Farmers in the northwestern and northeastern counties were unhappy at the direct tax on land. Businessmen complained about the high rate of interest and the mounting national debt. Military expenditures, now that the quarrel with France had been settled, seemed inexcusable to thrifty citizens. The aristocratic behavior of the Federalists, their long tenure in office, their association with wealth and commercial interests, their great manorial estates—these and countless other political intangibles undoubtedly added to their unpopularity in an age characterized by growing democratic principles. In Calvert county the only Federal candidate to canvass for votes was Roger Brooke Taney. He spoke three or four times to crowds who jeered and heckled him “in humiliating fashion” for being an aristocrat.

In an election post-mortem article, a Federalist correspondent who signed himself “Minos” confessed that advocacy of a legislative choice of the electors overwhelmed the federal candidates, not any of the principles for which they stood. Unable to grasp the full significance of the rise of democracy among the mass of voters, “Minos” nonetheless put his finger on one of the causes of his party’s defeat when he writes: <sup>53</sup>

It is a fact that these forty democrats could not have been elected by the democratic party, without the assistance of many federals, who preferred them; not on account of their political principles but because they pledged themselves to oppose a legislative choice of the electors. . . .

<sup>51</sup> Philip Barton Key to Ephraim Wilson, October, 1800. Philip Barton Key MSS, box K, Library of Congress.

<sup>52</sup> Cunz, *op. cit.*, pp. 174-178.

<sup>53</sup> *Federal Gazette*, October 25, 1800.

Actually, there were forty-six Republicans elected to the House of Delegates. Elsewhere, in the press and in private correspondence, the Federalists bemoaned the blunder of the elector issue and admitted that many members of the party had either not voted or had supported Republican candidates.<sup>54</sup>

There was still another opportunity for the Federals to recoup their losses. The October election had ended any chance of securing a legislative choice of the presidential electors. Accordingly, the voters of the state would again march to the polls on the second Wednesday in November to cast their ballots for the electors. Between October 6th and November 10th, however, it is difficult to note any heightened efforts on the part of the conservatives to secure the election of a Federal slate. The majority of them seemed deep in apathy, and unhappy McHenry confided to his old cabinet crony: <sup>55</sup>

Tomorrow, the electors of this state are to be chosen by the people in their respective districts. Here, we shall make little or no exertions for the federal candidate; not from any indifference to the good old cause, but from a kind of conviction that our labour would be lost, and an opinion pretty generally imbibed of the utter unfitness of one of the Federal candidates to fill the office of President. . . .

Despite this typically apathetic attitude, the Federalists succeeded in electing five of the ten presidential electors to which the state was entitled.<sup>56</sup>

Although the press of the period is relatively silent on the November electioneering, the outcome of the contest indicates that the faith of Charles Carroll and "Minos" in the basically Federal tendencies of the state was not without some foundation. Once the October election ended the threat of an usurpation of the suffrage, it appears that Federal mavericks returned to the fold and dutifully cast their vote for the party slate in November. Republican leaders bemoaned "the caprice" of Frederick county voters, who, in October, had elected four Republicans to the House of Delegates and one to Congress. In November, these same voters of Frederick chose

<sup>54</sup> *Ibid.*

<sup>55</sup> James McHenry to Oliver Wolcott, November 9, 1800. Gibbs, *op. cit.*, II, 445.

<sup>56</sup> Easton *Eastern Shore Intelligencer*, December 16, 1800.



a Federalist as presidential elector.<sup>57</sup> From the scattered figures available, the popular vote for presidential electors was very light throughout the state. Of the 6,000 eligible voters in Baltimore City (almost thirty per cent of the entire voting population of the state), only 1900 Republicans and Federalists voted on November 10th. Perhaps the fever pitch of the October contest had been too high to sustain itself for another month.

On December 3d, the Maryland electors assembled in Annapolis, and "without debate," cast five votes each for Jefferson, Burr, Adams and Pinckney. When the 138 electoral votes of the sixteen states were tallied, Jefferson and Burr, each with seventy-three votes, were tied for the presidency. John Adams had received sixty-five, C. C. Pinckney, sixty-four and John Jay, one. The Federalists had lost the election, but the Republicans had not yet won it.<sup>58</sup>

The admirable discipline of down-the-line voting by Republican electors had resulted in a tie between Jefferson and Burr although everyone had voted for Jefferson as president. The glaring weakness of the constitutional provision which made no distinction between the two names on the one ballot was now fully revealed. Victory, which had seemed assured, now receded into uncertainty. The election was to be decided in the House and it was top heavy with Federalists. Worse still, of Maryland's eight representatives, five were Federalists.

## 5.

The struggle which raged from Wednesday, February 11th, until Tuesday, February 17th, in the unfinished Capitol in the nation's new seat of government was a fitting climax to the political drama which closed the eighteenth century. The Federalists were more than satisfied to have the House of Representatives decide the election. The House, while it did not actually possess a solid Federalist majority, contained sufficient strength to defeat Republican wishes.

Congressional leaders of the conservative party, ignoring the advice and pleas of Hamilton, decided to support Burr for the

<sup>57</sup> *American*, November 15, 1800.

<sup>58</sup> *Annals of Congress*, 6th Congress (1800), 743-744; Edward Stanwood, *A History of the Presidency From 1788 to 1897* (Boston, 1898), Ch. V.

presidency. Most Federalists in Washington considered the New Yorker far less a threat to the commercial and financial interests of the nation than the "wild doctrinaire" of Monticello, whom Charles Carroll considered scarcely fit to rule the tiny republic of San Marino.<sup>59</sup>

Counting on Burr's ambition to win his connivance in the plot against Jefferson, the Federalists believed that enough northern Republican votes would desert the Virginian to insure the choice of Burr as President. In this connection historians have long debated Burr's role. As we shall see, there is scarcely sufficient evidence to warrant the assumption that he deliberately encouraged this political chicanery. His own reputation for intrigue and plotting notwithstanding, it appears that the Federalists simply took him for granted.

On December 16th, Burr wrote to Samuel Smith, Maryland Republican in the House of Representatives:<sup>60</sup>

It is highly improbable that I shall have an equal number of votes with Mr. Jefferson; but if such should be the result, every man who knows me ought to know that I would utterly disclaim all competition. Be assured that the federal party can entertain no wish for such an exchange. . . . And I now constitute you my proxy to declare these sentiments if the occasion should require.

Despite the tone of this letter—or perhaps because of it—the Federalists circulated word that it was to be ignored. Bayard, writing to Hamilton, remarked:<sup>61</sup>

. . . it is here understood to have proceeded either from a false calculation as to the result of the electoral votes, or was intended as a cover to blind his own party. . . .

Maryland Federalists in Washington were variously involved

<sup>59</sup> Thomas Sedgwick to Alexander Hamilton, January 10, 1801, Hamilton MSS, Library of Congress; Hamilton to Oliver Wolcott, December 16, 1800, Henry C. Lodge, *The Works of Alexander Hamilton* 9 vols., (New York, 1885-86), VIII, 565; John Vaughan to Thomas Jefferson, January 10, 1801, Jefferson MSS, vol. 108, Library of Congress.

<sup>60</sup> Aaron Burr to General Samuel Smith, December 16, 1800, Matthew L. Davis, *Memoirs of Aaron Burr* 2 vols. (New York, 1837), II, 75. See also Edward Livingston's letter to Burr, *ibid.*, II, 96-97.

<sup>61</sup> James Bayard to Alexander Hamilton, January 7, 1801, Hamilton, *op. cit.*, VI, 506. McHenry also discounted the letter. McHenry to Hamilton, December 31, 1800, McHenry MSS, box 5, Library of Congress.

in the political maneuvering backstage.<sup>62</sup> From Baltimore they received Hamilton's instructions, via the trusty McHenry, to support Jefferson. Charles Carroll, Senator William Hindman and Robert Goodloe Harper, on the other hand, urged a vote for Burr. Of the five Federalists in the House, George Baer, John Dennis, William Craik and John Thomas favored Burr. The fifth Federalist, George Dent, wealthy landowner of Charles county, deserted his colleagues and voted for Jefferson. The alignment of Dent with the three Maryland Republicans, Samuel Smith, John Nicholson and George Christie, divided the Maryland vote equally and prevented Burr carrying the state.

The citizens of Maryland, Federalist as well as Republican, suddenly became fearful that the failure to elect Jefferson would result in removal of the national capital from the Potomac. Petitions by the score poured in upon Baer, Craik, Thomas and Dent, urging a vote for the Virginian.<sup>63</sup> Dent, however, was the only Federalist to bow to the demands of his constituents. Albert Gallatin, Republican leader in the House, confided to his wife the second day of balloting, "our hopes of a change . . . are exclusively with Maryland."<sup>64</sup>

In the midst of great excitement—which included a shameful Federalist plot to continue balloting until the legal administration expired and then to turn the government over to Chief Justice Jay—and talk of civil war, balloting by states commenced on February 11, 1801.<sup>65</sup> As had been expected, Jefferson received eight votes (New York, New Jersey, Pennsylvania, Virginia, North Carolina, Georgia, Kentucky and Tennessee), Burr six (New Hampshire, Massachusetts, Rhode Island, Con-

<sup>62</sup> James McHenry to William Hindman, January 20, 1801, McHenry MSS, 2d series, Library of Congress; William Hindman to McHenry, January 17, 1801, *Ibid.*, Uriah Tracy to James McHenry, January 15, 1801, McHenry MSS, Library of Congress; Charles Carroll to Charles Carroll Jr., February 8, 1801, Kate M. Rowland, *The Life of Charles of Carrollton; 1737-1832*, 2 vols. (New York, 1898), II, 249.

<sup>63</sup> Albert Gallatin to James Nicholson, February 14, 1801, Henry Adams, *The Life of Albert Gallatin* (Philadelphia, 1879), p. 261; J. Fairfax McLaughlin, *Matthew Lyon, the Hampden of Congress* (New York, 1900), pp. 387-88; Richard Hildreth, *The History of the United States of America* 6 vols., (New York, 1851), V, 403-04.

<sup>64</sup> Albert Gallatin to his wife, February 12, 1801, Henry Adams, *op. cit.*, p. 261.

<sup>65</sup> Jefferson's view of this bizarre Federalist plot is contained in his letter to Tenche Cox, December 31, 1800, Jefferson MSS, vol. 108, Library of Congress. See also James Monroe's letter to Jefferson, January 6, 1801, which describes the same plot, Jefferson MSS, Library of Congress.

necticut, Delaware and South Carolina) on the first ballot. Two states (Maryland and Vermont) were divided. Nine states were necessary to elect the President.<sup>66</sup>

By mid-night of the 11th, nineteen ballots had been cast and the result was the same in each; eight for Jefferson, six for Burr and two divided. Gradually, all attention centered on the divided states. The switch of either Maryland or Vermont to Jefferson would assure the latter's election. Their deciding for Burr would result in an ominous stalemate.

The political drama was further heightened by the courageous role of a Maryland member of the House. John Nicholson, thirty year old representative from the 7th Congressional District, was seriously ill when balloting commenced. Knowing that his absence from the House would give his state's vote to Burr, he arranged to be carried to the capitol building in the midst of a blinding snowstorm, the morning of the 11th. For seven days and six nights he lay dangerously ill in a drafty committee room but somehow managed to cast a vote for Jefferson in every round of balloting. "I would not thus expose myself for any President on earth," observed a less stout-hearted Federalist.<sup>67</sup>

On February 16th, when the thirty-fourth ballot proved no different than the first, the most influential of southern Federalists took matters into his own hands. James Bayard, Delaware's single representative in the House, determined to withdraw his vote from Burr, thus giving the election to Jefferson. Writing to his father-in-law, Governor Bassett of Delaware, Bayard explained his decision in one of the most revealing letters written during the struggle in the House:<sup>68</sup>

<sup>66</sup> *Annals of Congress*, 6th Congress, 2d Session, pp. 1022-1030 contains the record of the balloting in the House.

<sup>67</sup> Morison, *op. cit.*, I, 207-08. Henry S. Randall, *Life of Thomas Jefferson* 3 vols. (New York, 1858), II, 594-95; J. Thomas Scharf, *History of Maryland* 3 vols. (Baltimore, 1879), II, 602; *Washington National Intelligencer*, February 13, 1801.

<sup>68</sup> James Bayard to Bassett, February 16, 1801, Elizabeth Donnan, editor, "Papers of James A. Bayard," *American Historical Association Report* 1913, (Washington, D. C., 1915), II, 126-27. For additional light on Bayard's decision see his letter to McLane, February 17, 1801, *Ibid.*, II, 127-28 and "Harper to his Constituents," February 24, 1801, *Ibid.*, II, 133-37. George Baer explains Maryland's role in the decision in his letter to Richard Bayard, April 19, 1830, Davis, *op. cit.*, II, 114-19.

We have yet made no President but tomorrow we shall give up the contest. Burr has acted a miserably paultry part. The election was in his power, but he was determined to come in as a Democrat. . . . Some of our Gentlemen from an intemperate hatred of Jefferson were disposed to proceed to the most desperate extremities. Being perfectly resolved not to risk the constitution or a civil war. . . . I therefore considered it time to announce my intention of voting for Jefferson . . . violent spirits of the party denounced me as a Deserter. . . . I procured a general meeting, explained what I had done and what were my motives and found a general disposition to acquiesce. We meet again tonight merely to agree upon the mode of surrendering. . . .

This single letter sheds considerable light on several important aspects of the struggle. First, it shows Burr's refusal to enter into a "deal" with the Federalists.<sup>69</sup> Secondly, it reveals that certain Federalists preferred civil war or abandonment of the constitution rather than the election of Jefferson. Thirdly, it tacitly acknowledges the determination and unity of the Republicans in their support of the Virginian. Finally, and most important of all, it indicates that the majority of Federalists, in spite of their dislike and fear of Jefferson, were not willing to endanger the Union in order to keep him out of the White House.

Bayard, together with the Maryland Federalists and Morris of Vermont were representative of these moderate Federalists who placed nation above party. In the hands of these half dozen men rested not only the election of Jefferson, but perhaps the fate of the Union. Baer, the leader of the Maryland Federals in the House, castigated Burr for the lack of "effort on the part of himself or his personal friends to produce his election." In the face of Burr's behavior, Baer and the others "resolved to abandon the contest."<sup>70</sup>

Once they agreed upon their course of action, these few

<sup>69</sup> In early January, Samuel Smith conferred with Burr in Philadelphia. What took place at the meeting is not known, but on January 11th, Smith wrote Burr that "in my own opinion (and *I have good reasons*) [Smith's underscoring] Maryland will make the ninth state [for Jefferson]." (Samuel Smith MSS, box Z, Library of Congress). Professor Beard in his *Economic Origins of Jeffersonian Democracy*, p. 404 misconstrues General Smith's visit with Burr in Philadelphia as a Federalist approach to Burr.

<sup>70</sup> George Baer to Richard Bayard, April 19, 1830, Davis, *op. cit.*, II, 118.

Federalists quite understandably sought to ask a price of Jefferson for their support. Bayard conferred with Samuel Smith, intimate of Jefferson, on Friday, February 13th. The Federalists sought some "proper understanding" with Jefferson that, in the event of his election through Federal support, he would maintain public credit and commerce, continue the present navy system and remove no subordinate office-holders from federal positions on mere political grounds.

It is impossible here to fully examine this controversial charge of a "pre-election deal" between Jefferson and the Federalists. Suffice it to point out that General Smith knew Jefferson's opinions were not unfriendly to any of the points insisted upon by Bayard. Accordingly, Smith appears to have left Bayard with the impression that his reply was "authorized" by Jefferson. That Jefferson did or did not give any such guarantee was an argument which the principals carried on long after the election.<sup>71</sup>

Rather than actually vote for Jefferson, the Maryland, Delaware and Vermont Federalists cast blank ballots on the thirty-sixth vote. Smith, Christie, Nicholson, Dent and Lyon thus carried Maryland and Vermont and on February 17, 1801, Thomas Jefferson, apostle of agrarian democracy, was elected President of the United States.

## 6.

The explanation of this "party revolution of 1800" lies less in a discussion of Federal weaknesses, blunders and party disunity than in a long range view of the American political spectrum. The wonder is not that the Federalists lost the election of 1800, but that they had managed, for more than a decade to stay the march towards democracy which characterized American history from earliest colonial days. Reviewing the election almost a hundred years later, an American historian remarked: <sup>72</sup>

<sup>71</sup> The literature on this quarrel is as voluminous as it is confusing. Perhaps the best summary is contained in the pro-Bayard pamphlet, *Documents Relating to the Presidential Election in the Year 1801* (Philadelphia, printers, 1831). Professor Beard remarks apropos of the quarrel that Jefferson's "election immediately followed what the Federalists regarded as 'a proper understanding.'"

<sup>72</sup> Anson R. Morse, "Causes and Consequences of the Party Revolution of 1800," *American Historical Association Report* (Washington, D. C., 1894), pp. 538-39.

The attitude of the mass of the people toward the beneficial changes made by the Federalists had been either reluctant acquiescence or passionate opposition; only in a slight degree had they unlearned the provincialism and the unbalanced democracy that had produced the calamities of 1786. . . .

This observation, with minor modifications, is quite descriptive of the political situation in Maryland in 1800.

Here, a handful of leading citizens—men of position, wealth and influence—had dominated politics for so long that by 1800 they were “overly sanguine.” The factional quarrel between the “Adamites” and the “Pinckeronians” served only to divide their poorly organized forces. The death of George Washington still further weakened them.<sup>73</sup>

The Republicans were more ably led, better disciplined and more “indefatigable” campaigners than the apathetic Federalists during the summer and fall of 1800. The unpopular measures of Adams’ administration, especially the Alien and Sedition Acts, the provisional army and the direct tax alienated agrarian interests in the state which had formerly acquiesced in or supported the Federal program. Most important of all, and this single blunder of itself accounts for their defeat, the Maryland Federalists foolishly injected the issue of a legislative choice of presidential electors into the crucial campaign. This conservative blunder brought into the open the long felt fear that the aristocrats of Maryland were essentially anti-democratic. As a result, the people of the state were amazingly aroused at this brazen move to rob them of a political right. No matter that the Republicans in Virginia did the same thing or that the followers of Jefferson attempted the same in Pennsylvania. In Maryland, the shoe happened to be on the other foot . . . an aristocratic foot!

James McHenry touched upon a major weakness of his party when he observed that Federalist leaders in Maryland spent most of their time writing private letters to one another. Town and manor life was perhaps too seductive for wealthy aristocrats. It is not always easy to feel the pulse of a people from gilded drawing rooms or spacious porticos. The Federals had “never

<sup>73</sup> Arthur M. Schlesinger, *New Viewpoints in American History* (New York, 1922), p. 57.

sought contact with the average man," and by 1800 the average man was demanding his share in government. The Federalists had lived too long with the idea that government belongs to the well-educated and the well-to-do. How else to explain their bold attempt to "refine the suffrage"? Further, Maryland's Federal party was formed primarily of commercial interests and great landowners whereas the vast majority of Marylanders earned their living from the soil they actually worked. It was expecting too much to suppose that this agrarian majority would continue passive under Federalist rule once leaders appeared to direct their ambitions and exploit their local loyalties.

Back in his beloved Braintree, John Adams reflected in late 1801: <sup>74</sup>

No party that ever existed knew itself so little or so vainly over-rated its own influence or popularity as ours. None ever understood so ill the causes of its own power or so wantonly destroyed them.

Many a thoughtful Maryland Federalist must have wholly agreed with the ex-president.

<sup>74</sup> Adams, *op cit.*, IX, 582.



# THE MARYLAND PENITENTIARY IN THE AGE OF TOCQUEVILLE, 1828-1842 \*

By MARVIN E. GETTLEMAN

## I

DURING the 1830s a stream of European visitors crossed the Atlantic to study American prisons. Among them were two young French aristocrats, Gustave de Beaumont and Alexis de Tocqueville, who arrived in New York in May, 1831. Beaumont and Tocqueville inspected all the important penal institutions in the United States, studied prison reports and legislative documents and, after their return to France, published an exhaustive study of *The Penitentiary System in the United States*.<sup>1</sup> This report was immediately recognized as a major contribution to the subject and was swiftly translated into English. There was no American work to compare with it, and the other contemporary studies by European observers were not of the same scope. The publication of *The Penitentiary System* was received with interest and pride in America while it provoked a great debate on prison reform in the French legislature.<sup>2</sup>

\* An earlier draft of this paper was presented to the American history seminar of The Johns Hopkins University on March 16, 1959. I am indebted to Professor Wilson Smith of that seminar and to Mr. Michael Parenti of the State University of New York for suggestions and criticism. I also wish to thank Warden Vernon L. Peppersack of the Maryland Penitentiary, and his staff, for their kind help.

<sup>1</sup> Gustave de Beaumont and Alexis de Tocqueville, *du Système pénitentiaire aux États-Unis et de son application en France* (Paris, 1833). English translation by Francis Lieber, Philadelphia, 1833. Their visit is ably chronicled in George W. Pierson, *Tocqueville and Beaumont in America* (New York, 1938).

<sup>2</sup> The only comparable document is William Crawford's patronizing *Report . . . on the Penitentiaries of the United States Addressed to His Majesty's Principal Secretary of State for the Home Department* (London?, 1835). A later English study, Francis Gray's *Prison Discipline in America* (London, 1848) more nearly approaches that of Beaumont and Tocqueville in scope. The

Issues of reform stirred deeply-rooted philosophical views and were matters of intense controversy in the early nineteenth century. "There is no object of legislation in this country," observed a writer in *The North American Review*, "that excites more various opinions than that of the penal code and the system of punishment to be adopted under it." Beaumont and Tocqueville too were amazed to find that summaries of the reports of prison inspectors were printed in the "immense numbers" of American newspapers and became objects of public controversy.<sup>3</sup> Part of the significance of nineteenth century penological disputes lies in the fact that they illustrate the potency of ideas in that "Age of Ideology."

The public debate on penology in the years of Tocqueville's visit to and study of America was vigorously sustained by partisans of two major schools of thought—adherents of the "Philadelphia system" and supporters of the rival "Auburn system."<sup>4</sup> In America at least the Auburn system, prevalent at the New York state and other prisons, seemed to be the most popular. Auburn was fortunate in gaining the support of the prison reformer, Louis Dwight, head of the influential Boston Prison Discipline Society.<sup>5</sup> But the Philadelphia system did not lack

French debate is discussed in John H. Cary, "France Looks to Pennsylvania. The Eastern Penitentiary as a Symbol of Reform," *Pennsylvania Magazine of History and Biography*, LXXXII (April, 1958), 186-203. To the *American Quarterly Review* (XVIII [December, 1835], 453) the studies by European visitors demonstrated that "the New world, it would seem, is become the seminary of the old."

<sup>3</sup> [J. T. Austin] in *The North American Review*, XIII (October, 1821), 417; Beaumont and Tocqueville, *du Système pénitenciaire*, p. 57.

<sup>4</sup> There is now an extensive scholarly literature on the rival systems. Some of the most acute observations are still in Beaumont and Tocqueville, *du Système pénitenciaire*, 37-50 and *passim*. The Auburn prison is most carefully studied in Ralph S. Herre, "The History of Auburn Prison from the Beginning to about 1867" (unpublished doctoral dissertation, Pennsylvania State College, 1950); its chief rival in, Negley K. Teeters and John D. Shearer, *The Prison at Philadelphia, Cherry Hill: The Separate System of Penal Discipline, 1829-1913* (New York, 1957). The states embodying these rival systems are the subjects of two important studies: Philip Klein, *Prison Methods in New York State* [Columbia University Studies in History . . . no. 205] (New York, 1920); Harry E. Barnes, *The Evolution of Penology in Pennsylvania: A Study in American Social History* (Indianapolis, 1927). See also Blake McKelvey, *American Prisons: A Study in American History Prior to 1915* (Chicago, 1936), chapters i, ii; Orlando F. Lewis, *The Development of American Prisons and Prison Customs . . . , 1776-1845* (Albany, 1922), chapters iii, ix, x, xi; Alice F. Tyler, *Freedom's Ferment: Phases of American Social History to 1860* (Minneapolis, 1944), pp. 274-283.

<sup>5</sup> Dwight headed the Boston Prison Discipline Society from 1825 until his death in 1854. A tyrant, he refused to hear criticism of the Auburn system.

its own able supporters, including Francis Lieber, translator of the Beaumont and Tocqueville report.<sup>6</sup> The young Frenchmen realized that the object of their study was often obscured by clouds of partisanship, and they determined to make their contribution thorough and objective. They succeeded in both.

## 2.

Since the development of the Maryland Penitentiary in the years between 1828 and 1842 was strongly conditioned by the controversy between Philadelphia and Auburn factions, it is necessary to consider briefly the issues that divided them.

The Auburn system took its name from the New York state prison at Auburn, west of Syracuse in the Mohawk valley. Opened in 1819, the Auburn prison did not evolve or rationalize its "system" until the prisons in Pennsylvania began to attract favorable attention.<sup>7</sup> In the operation of the penitentiaries of both states, and indeed, in the sentiment of the times was implanted the doctrine that *isolation* of some kind was the ideal ingredient of prison discipline. There was perfect agreement among the rival prisons, said Francis Wayland, "in all the more important points, in the *theory* of prison discipline."<sup>8</sup> At Philadelphia the ideal of isolation was applied in its most literal form—solitary confinement. A prisoner at Cherry Hill penitentiary there, in the 1830s, was placed in his own cell on arrival and remained there for the whole length of

The Society itself was the self-appointed arbiter of prison discipline in the United States. See McKelvey, *American Prisons*, pp. 9-10, 29. In this role the BPDs was very much like other nineteenth century American reform groups, founded in the spirit of moral stewardship. See discussion of these Societies in Clifford S. Griffin, *Their Brothers' Keepers: Moral Stewardship in the United States* (New Brunswick, New Jersey, 1960).

<sup>6</sup> A recent student has brought Lieber's integrity as a moral philosopher into question since he presumed to clutter up "Beaumont's and Tocqueville's dispassionate study of American prisons with his essays and statistics favoring the Philadelphia plan." Wilson Smith, *Professors and Public Ethics: Studies of Northern Moral Philosophers before the Civil War* (Ithaca, 1956), p. 109. But a contemporary Philadelphia journal praised Lieber for appending "... to the body of the work many notes, in which the erroneous position of the writers are contested and refuted, and the causes of their misapprehensions explained." *American Quarterly Review*, XIV (September, 1833), 254.

<sup>7</sup> See the brief historical account in *Letter of Gershom Powers, Esq. In Answer of the Hon. Edward Livingston, in Relation to The Auburn State Prison* (Albany, 1829), pp. 6-10.

<sup>8</sup> [Francis Wayland] in the *North American Review*, LXIX (July, 1839), 29.

his term. It was thought that in solitary confinement "the causes which led to crime" would be best removed.

The morbid influences of evil habits, associations, and persons are withdrawn—he [the prisoner] is thrown back upon himself . . . [and] if, in his cell he . . . refers his conduct to his Creator . . . , his incarceration, which was regarded as a privation may come to be esteemed as his greatest blessing.<sup>9</sup>

In 1829 labor was introduced at Cherry Hill and the motto of that prison was changed from "solitary confinement" to "solitary confinement with labor."<sup>10</sup> With that change the Philadelphia system, in the eyes of its supporters, was rendered absolutely perfect. They broadcast its virtues extravagantly, and while defending the system, declared that it needed no defense. "It rests upon the immoveable basis of philosophy confirmed by experiment."<sup>11</sup>

Unlike the situation in the Quaker city, at Auburn reformation of the prisoners was not a prime consideration. Elam Lynds, Auburn's stern warden, told Tocqueville that the reform of prisoners was a pious wish, possible only with the very young.<sup>12</sup> The Auburn variation on the main theme of isolation was termed "moral isolation" to distinguish it from the Philadelphia system of day-and-night solitary confinement.<sup>13</sup> Under the Auburn discipline docile and efficient, not reformed, prisoners were produced. Moral isolation was achieved by prohibiting any communication whatsoever between the prisoners as they worked and dined together by day. Infractions were swiftly punished by a keeper who flourished a many-thonged whip, called the "cat."<sup>14</sup> Prison discipline at Auburn according to Lynds was a matter "of continually maintaining labor and silence, and to succeed it is necessary to be . . . pitiless and just."<sup>15</sup> Although together by day, the Auburn prisoners slept

<sup>9</sup> *American Quarterly Review*, XIV (September, 1833), 237.

<sup>10</sup> *Ibid.*; Teeters and Shearer, *The Prison at Philadelphia*, p. 141.

<sup>11</sup> *American Quarterly Review*, XVIII (December, 1835), 473.

<sup>12</sup> Alexis de Tocqueville, *Oeuvres complètes* (Mayer ed.: Paris, 1951-57), V, 66.

<sup>13</sup> "L'isolement moral," in the words of an anonymous Swiss penal pamphleteer. *Quelques mots sur le Système pénitentiaire* (Genève, 1838), p. 5.

<sup>14</sup> Herre, "History of Auburn Prison," p. 108; Gershom Powers, *A Brief Account of the . . . New York State Prison at Auburn* (Auburn, 1826), pp. 60-61.

<sup>15</sup> Tocqueville, *Oeuvres complètes*, V, 64.

in small solitary cells at night, making the Auburn system a compromise between strict solitary confinement as practiced at Philadelphia, and the infamous contradiction-in-terms, the "indiscriminate system" (undisciplined prisoners herded together day and night) which characterized such institutions as the Maryland Penitentiary in its early days.

American penal reformers before the Civil War seemed content to argue endlessly the merits of the rival systems. No really new departure was made in the ante-bellum period. Only later did novel penal methods dispute the limited Auburn-or-Philadelphia alternatives of the Jacksonian era. Toward the end of the century prison reformers began to concern themselves less with producing model prisoners according to some rational system of discipline, than with preparing prisoners for an honest, productive life "on the outside."<sup>16</sup> But in the period under investigation here American prisons could do little more than choose between Auburn and Philadelphia, or combine features of both.

Such was the case at a rather typical institution, the Maryland Penitentiary.<sup>17</sup> The prison at Baltimore was limited in the scope and range of its reform activities, to be sure, by the prevailing parsimonious theory of state finances; but the ideological tyranny of the two rival systems also imposed limits outside of which the Maryland Penitentiary dared not wander. Prison policy in such an institution was formulated as much in terms of the relative merits of the Auburn and Philadelphia systems as in response to real particular needs and problems. Therefore, little that was really distinctive in the development of the Maryland Penitentiary can be uncovered that was not merely an elaboration of one or another practice already evolved at the leading institutions. The particular feature that was elabor-

<sup>16</sup> Thomas M. Osborne, *Society and Prisons* [Yale Lectures on the Responsibilities of Citizenship] (New Haven, 1916); Franklin B. Sanborn, "the Supervision of Public Charities," *Journal of Social Science*, I (June, 1869), 75.

<sup>17</sup> The best study of the Maryland Penitentiary is in Lewis, *Development of American Prisons*, chapter xvii. Other studies, sketchy and largely inaccurate are: Albert O. Mullen, "Brief History of the Maryland Penitentiary from its Beginning in 1811 to the Present Time," *Annual Report of the Directors . . . of the Maryland Penitentiary, 1911* (Baltimore, 1912); Thomas L. Wilkinson, "The Maryland Penitentiary," in J. Thomas Scharf (ed.), *History of Baltimore City and County from the Earliest Period to the Present Day* (Philadelphia, 1871), pp. 202-205.

ated, perhaps overelaborated, at Baltimore was the system of congregate prison labor that was instituted earlier at the Auburn prison. But the Maryland Penitentiary also experimented with certain features of Philadelphia prison discipline, and evolved its own particular compromise in a way that illuminates some facets of American government and society in the Age of Tocqueville.

## 3.

When the Maryland Penitentiary opened on September 13, 1811 the struggle between the two "received systems of imprisonment" had not yet crystallized.<sup>18</sup> The Pennsylvania prisons at Pittsburgh (the Western Penitentiary) and Philadelphia (the Eastern Penitentiary or Cherry Hill prison) were themselves only built in the 1820s, and the Auburn Prison, the later foe of physical isolation, itself had an early period of experimentation with solitary confinement. The ideas of the influential English prison reformer, John Howard (1725-1790), and other theories at the time made the terms "penitentiary" and "solitary confinement" virtually synonymous. The Baltimore prison, merely by calling itself a penitentiary was obliged at least to declare its partial adherence to the system of complete isolation of prisoners.<sup>19</sup>

The system of solitary confinement, practiced in its purest form in the 1830s and '40s at Cherry Hill in Philadelphia was dependent upon special architectural conditions. John Haviland's designs for the Philadelphia prison projected an immense structure with seven cell blocks radiating from a central rotunda. That grandiose plan, with some modifications, was closely followed in the construction of the prison, which was carried out at the then unheard of cost of \$772,600.<sup>20</sup> Without the zeal for prison reform or the spirit of bold experimentation

<sup>18</sup> Dr. H. Willis Baxley, quoted in *Testimony Taken Before the Joint Committee of the Legislature of Maryland on the Penitentiary* (Annapolis, 1937?), p. 138 [hereafter cited as *Testimony*]; Opening date in *Report of the Joint Committee Appointed to Visit and Inspect the Maryland Penitentiary*, L. D. Teackle, Chairman (Annapolis, 1832), p. 4.

<sup>19</sup> McKelvey, *American Prisons*, p. 8; Teeters and Shearer, *Prison At Philadelphia*, pp. 2-23; Herre, "History of Auburn Prison," pp. 53-57; Gray, *Prison Discipline in America*, p. 26; Lewis, *Development of American Prisons*, p. 204; [G. F. R. Barker], "John Howard," in Sir Leslie Stephen and Sir Sidney Lee (eds.), *Dictionary of National Biography* (Oxford, 1917), X, 48-50.

<sup>20</sup> Teeters and Shearer, *Prison at Philadelphia*, p. 73.

in architecture that characterized Pennsylvania's citizens, Maryland erected its penitentiary at the relatively small cost of \$89,500.<sup>21</sup>

The cell blocks at the Maryland Penitentiary, even those designed after the Haviland prison was completed, were not specially designed for solitary confinement. Nevertheless, the Philadelphia system exerted a strong influence in Maryland. The Free State's legislature proposed that "every person convicted of any crime, the punishment whereof shall be confinement in the penitentiary, shall be placed and kept in the solitary cells therefrom on low and coarse diet, for such part or portion of the term of his or her imprisonment as the court, in their sentence shall direct and appoint." No more, however, than one-half of a prisoner's term (but no less than one-twentieth) was to be spent in solitary. The "low and coarse" diet was to consist of bread, Indian meal ("or other inferior food, at the discretion of the inspectors"), and meat twice a week. Also, the first set of rules governing the Maryland Penitentiary stipulated hard labor for all prisoners when they were dismissed from solitary confinement.

[Prisoners] shall be kept, as far as may be consistent with their sex, age, health and ability, to labour, of the hardest and most servile kind, in which the work is least liable to be spoiled by ignorance, neglect or obstinacy, and where the materials are not so easily embezzled or destroyed. . . .

This labor was to be done, if possible, with the prisoners "a part and from each other." Male and female were also required to be separate, as was not the case in all American prisons at the time.<sup>22</sup>

The principle of separation which pervaded all prison reform was a rule which naturally seemed to apply to inmates of different color. Separation of Negroes and whites was axio-

<sup>21</sup> *Acts of Assembly Together with the Governor's Proclamation and the Rules and Regulations Respecting the Penitentiary of Maryland* . . . (Baltimore, 1919), p. 4. [hereafter cited as *Acts of Assembly &c*]. Francis Wayland, who calculated the cost per cell of the major penitentiaries of the country, set the Maryland cost at the bottom of his scale (\$146.32). Philadelphia, of course, spent the most (\$1648.85 per cell!), while Sing Sing, built on the Auburn model cost \$200. *North American Review*, LXIX (July, 1839), 39.

<sup>22</sup> "An Act Concerning Crimes and Punishments," passed by the Maryland Assembly, November sess., 1809, in *Acts of Assembly &c.*, pp. 23-24.

matic, even to the Yankees of the Boston Prison Discipline Society. "The propriety of this rule," they declared, "arises from circumstances which it is not necessary to mention. . . ." <sup>23</sup> But like so many other ideals of nineteenth century prison reform racial segregation was never practiced at Baltimore. We may assume that Negro and white, (and in the Penitentiary's first six years at least) slave and freeman ate, worked and probably slept together in the Maryland Penitentiary. This was another of those features of ante-bellum urban life which tended to breakdown segregation patterns. <sup>23a</sup>

1818 saw the appearance of special provisions in the *Acts of the Assembly* for Negro prisoners. At the January session a bill declaring that "no coloured person shall be sentenced to confinement to the Penitentiary . . . , for any less time than one year," was passed. <sup>24</sup> A few days later a supplementary bill specifically concerning slaves was also agreed to by the Maryland legislature. It required that whenever "any slave or servant" be "sold out of the Penitentiary" that the warden, or "keeper" as he was then called, shall "deposite [sic] the money arising from such a sale in some bank in the city of Baltimore." <sup>25</sup> But just a few days further on in the session the Assembly hastily repealed all previous enactments on the subject of Negro prisoners and declared that no Negro or Negro slave (the act is vague on this point) may ever "undergo a confinement in the penitentiary of this state, any law to the contrary notwithstanding." <sup>26</sup>

This act may have been effective in eliminating slaves from the prison population since the yearly "Abstract of Prisoners" appended to each surviving *Annual Report of the Directors of the Maryland Penitentiary* never lists slaves. "Blacks" however figure increasingly in the prison population all throughout

<sup>23</sup> Boston Prison Discipline Society, *First Annual Report* (1826), p. 17.

<sup>23a</sup> As Professor Richard C. Wade pointed out in "Slavery in the Southern City, 1820-1860," paper delivered at the 1959 meeting of the American Historical Association.

<sup>24</sup> Supplements to *Acts of Assembly &c.*, p. 42.

<sup>25</sup> *Ibid.* The money so derived was then at the disposal of the county Levy court and need not necessarily be used for Penitentiary expenses.

<sup>26</sup> *Ibid.*, p. 43. According to this badly-worded act a Negro criminal is either to be hung (if the offense demand it), "receive on his or her bare back, any number of lashes not exceeding forty," or be banished from the state—rather than be imprisoned.



the 1830s. In 1834, for example, Negroes numbered about one-third of all new prisoners, but over one-half in 1839.<sup>27</sup> The question remains: were the Negroes given any different treatment than that accorded to white convicts? Except that the word "treatment" in its modern sense could scarcely apply to any American prison, there is no evidence to contradict the testimony of an English visitor when he reports in 1835 that "no distinction is made in the treatment of coloured from other prisoners."<sup>28</sup>

Along with the hesitant moves toward separation of convicts by various criteria, the Maryland Penitentiary was influenced by Philadelphia chiefly in the health and medical practices first instituted in the Quaker City's old jails. Cleanliness of prisoners and buildings was supposed to be carefully checked. Washrooms were established. Floors scrubbed weekly; walls whitewashed annually. Even an infirmary was opened in the prison and a part-time physician engaged.<sup>29</sup>

It is doubtful whether these enlightened regulations resulted in much enlightened practice at the Maryland Penitentiary, or almost anywhere else. The directors of the Baltimore prison sadly noted, in 1837, that "in respect to the great moral objects of a penitentiary" the history of the Maryland Penitentiary "is similar to that of most of the others in the country; it has fallen far short, hitherto, of the sanguine hopes and expectations . . . , of its founders and supporters and friends of humanity in general." In an otherwise favorable report the directors revealed that no "system" at all had been practiced in the early 1820s. What little discipline there was, was enforced by the "actual presence and authority of the keeper and his deputies."<sup>30</sup> Similarly, a Baltimore comb-maker who "overlooked the victualizing department" of the prison in the early 'twenties lamented that there was never any solitary confinement there. "No respect was paid," James Disney reported, "to the sentences which required prisoners to be kept in solitary

<sup>27</sup> *Annual Report of the Directors of the Maryland Penitentiary, 1835* (Baltimore, 1835), p. 13; cf. *Annual Report . . . 1840* (Baltimore, 1840), p. 9.

<sup>28</sup> Crawford, *Report . . . on the Penitentiaries of the United States*, p. 96.

<sup>29</sup> *Acts of Assembly &c.*, pp. 26-27; Lewis, *Development of American Prisons*, p. 204.

<sup>30</sup> William McDonald and other directors in *Testimony*, pp. 12-13.

confinement.”<sup>31</sup> The Philadelphia system, it seemed, was too exotic a flower to be transplanted into Maryland soil.

Maryland's citizens, however, were not complacent about the state of their penitentiary. As the very real abuses festering there became more widely known sentiment for prison reform grew. The basic tenet of American prison discipline—non-communication between prisoners—was flagrantly violated at the Maryland Penitentiary. Strict separation of male and female convicts in the original cell block was almost impossible. The Baltimore prison, like many others of the day, was a disorderly, unexemplary institution, and its reputation had reached a low ebb by the middle 1820s. But in 1828 the directors of the prison appointed a group “to collect the best information relative to the contemplated improvement—as also to the manner of conducting police regulations and commercial operations” of the Penitentiary. The committee visited the Walnut Street jail in Philadelphia (forerunner of the *avant-garde* Cherry Hill prison), Auburn prison and Sing Sing, New York's new prison on the Hudson which had just been constructed by prison labor under the stern authority of Elam Lynds.<sup>32</sup>

The report of the visiting committee was strongly critical of the Philadelphia system of physical isolation of prisoners. To understand why this system, celebrated throughout Europe, was rejected by the Maryland officials, it is necessary to examine in some detail arguments for and against it. The two most able supporters of the Philadelphia system were Francis Lieber, the German-American political scientist and Roberts Vaux, the

<sup>31</sup> James Disney in *ibid.*, p. 223.

<sup>32</sup> *Report of the Committee appointed by the Board of Directors of the Maryland Penitentiary to visit the Penitentiaries and Prisons in the City of Philadelphia and the State of New York* (Baltimore, 1828), pp. 3-4 [hereafter cited as *Committee Report* (1828)]. Tocqueville was impressed by the force of Elam Lynds' rule-of-thumb penological theories, but repelled by his personality. To the French aristocrat Lynds “appeared to be a common man and I believe,” said Tocqueville, “that his language has a vulgar tone to it.” *Oeuvres complètes*, V, 63. In a spectacular *tour de force* of discipline Lynds built Sing Sing prison with convict labor from Auburn. Although they worked in the open, the prisoners were so terrified of the ex-soldier Lynds that there was no attempt at escape. By the time that Tocqueville saw him Lynds had been dismissed for excessive severity and was working as a clerk. See [Thorsten Sellin], “Elam Lynds,” in Dumas Malone (ed.), *Dictionary of American Biography* (New York, York, 1933), XI, 527.

Quaker philanthropist.<sup>33</sup> Vaux defended solitary confinement throughout an immense corpus of pamphlets and speeches. He said that the isolated prisoner is, at the very least, beyond the possibility of *further* corruption, and cannot use the prison as a place to hatch future "plans of villainy."<sup>34</sup> Not only is further crime prevented under solitary confinement, but also the positive progress of the prisoner toward regeneration is hastened. In Francis Lieber's considered view most crimes are the direct product of "thoughtlessness," and therefore the proper method of reform is to isolate the prisoner and allow him uninterrupted opportunity for reflection. Alone with the "corrodings of conscience and the pangs of guilt" the prisoner may repent of his evil ways.<sup>35</sup>

However enthusiastic Philadelphia supporters may have been about the possibilities of reform by solitary confinement, their most usual defense of the system was framed in terms of the beneficial anonymity of absolute isolation. Secluded from his fellow-inmates in the penitentiary, the prisoner who emerges truly reformed will not live in constant fear of meeting old prison associates who at any time "might blast his character and ruin his hopes." According to a Philadelphia journal, a prisoner discharged from a Pennsylvania penitentiary is "aided by discreet counsel and fortified by long communion with himself." He "has no obstacle to meet in the path of honour, propriety, and virtue."<sup>36</sup>

Despite the persuasive arguments with which Philadelphia partisans defended their cause, the Maryland visitors came out strongly for Auburn in 1828. Their rejection of the Phila-

<sup>33</sup> On Lieber and penal reform see Wilson Smith, *Professors and Public Ethics*, pp. 98-103; and Frank Freidel, *Francis Lieber: Nineteenth-Century Liberal* (Baton Rouge, 1947), pp. 96-104. On Vaux see [Thorsten Sellin], "Roberts Vaux," *Dictionary of American Biography* (New York, 1936), XIX, 239-240.

<sup>34</sup> Letter of Roberts Vaux to William Roscoe in *Nile's Weekly Register*, XXXIX (June 16, 1827), 269.

<sup>35</sup> Francis Lieber, *A Popular Essay on Subjects of Penal Law and on Uninterrupted Solitary Confinement at Labor as Contradistinguished to Solitary Confinement at Night and Joint Labor by Day . . .* (Philadelphia, 1838), p. 37; *Nile's Weekly Register*, XXI (October 27, 1821), 139.

<sup>36</sup> *American Quarterly Review*, XVIII (December, 1835), 420. This point was rarely challenged. However, Thomas Cleveland, M.D., warden of the Rhode Island prison observed in 1845 that "no man passes into prison without an open trial and the knowledge of his friends and enemies; and no man can pass out again without being remembered." *Sixth Annual Report of the Rhode Island State Prison*, quoted in Gray, *Prison Discipline in America*, p. 200.

delphia system was partly based on the belief that solitary confinement led to madness. Indeed, it was often noticed that the Pennsylvania prisons contained a relatively large proportion of insane inmates, especially before labor was introduced into the solitary cells.<sup>37</sup> Such was the case when the Maryland committee visited Philadelphia.

It is the design at present [in Philadelphia, the committee observed] to afford no employment to the mind [of the prisoner] that might divert it from its own harrowing reflections;—that the operation of these [methods] in such circumstances, tends to impair or utterly destroy the reason, is a fact too well attested to need the aid of argument or speculation.<sup>38</sup>

Tocqueville's companion, Gustave de Beaumont, in his novel *Marie*, also noted that solitary confinement tended to produce insanity.<sup>39</sup> And even after labor had been introduced into the Philadelphia system, Francis Lieber could acknowledge that there was "some truth" in the charge that the system led to madness.<sup>40</sup> Evidence on whether madness did or did not result from solitary confinement is impossible to find. The important fact is that those business and professional men who initiated prison policy at the Maryland Penitentiary thought it did, and acted accordingly.

So, because of what was felt to be the real possibility of insanity where there was solitary confinement day and night, and other reasons (the expense of a Philadelphia-style prison,

<sup>37</sup> Barnes, *Evolution of Penology in Pennsylvania*, pp. 288 ff. On the question of whether the Maryland visitors were right in charging that the Philadelphia system produced insanity, I can only quote the historians of Cherry Hill: "Looking backward from this date [1957] we can only state that both groups [Auburn and Philadelphia polemicists] were distinctly partisan and almost unscrupulous in editing their data to bolster their position and that so little was known at the time concerning mental aberrations, their causes and progression, that the charge was not susceptible of proof." Teeters and Shearer, *The Prison at Philadelphia*, pp. 210-211.

<sup>38</sup> *Committee Report* (1828), p. 8.

<sup>39</sup> Beaumont, *Marie: or, Slavery in the United States*, tr., Barbara Chapman (Stanford, California, 1958 [1835]), p. 45.

<sup>40</sup> Lieber, *Popular Essay*, pp. 74-75. The perspicacious warden of the Rhode-Island prison distinguished the different reaction of what may be called two "ideal types" of men to solitary confinement. The businessman-type has laid up no "internal resources" according to Dr. Cleveland, and solitary would tend to drive him mad. "Literary men" on the other hand, do have a "store of food for thought and recollection," and keep their mental faculties intact under isolation. Quoted in Gray, *Prison Discipline in America*, p. 198.

especially), the Maryland committee of 1828 ended its report with a ringing declaration of allegiance to Auburn principles—chief among them, congregate labor by day, solitary confinement at night and the use of a whip for discipline. Adoption of these principles would, in the committee's words, "advance the [penitentiary] system as near to perfection as it may be brought."<sup>41</sup>

#### 4.

Since many Americans active in penal reform in the Age of Tocqueville (and in other times and places too) were clergymen, the perfection of the penitentiaries was thought to be largely a religious task. Roberts Vaux eloquently expressed this sentiment:

The benign precepts and sacred obligations of Christianity must influence and control all successful exertions to restore to virtue this class of our erring fellow men [the prisoners], as well as rule every other availing endeavor for promoting the security and happiness of human society.<sup>42</sup>

In prison reform, as in other reform movements of the day, humanitarian religion was one of the prime motives of the reformers.

But altruists (like revolutionaries) are notorious for disagreeing among themselves, and the rivalry between the Auburn and Philadelphia systems had its religious dimension. Philadelphia partisans were anxious to qualify the reputation that their prison had gained for strict solitary confinement. Isolation there was not absolute but merely meant isolation from the corrupting influences of other prisoners. Francis Wayland was voicing sentiments current in his day when he declared (leaving the *origin* of wickedness unaccounted for) that "much of every man's wickedness is to be traced to intercourse with the wicked. . . ." <sup>43</sup> If mutually corrupting contacts between prisoners were

<sup>41</sup> *Committee Report* (1828), pp. 24-26. At the Maryland Penitentiary the warden was authorized to administer thirteen lashes to any unruly prisoner; his deputies, five. *Acts of Assembly &c.*, p. 29; William McDonald and others in *Testimony*, p. 15.

<sup>42</sup> Vaux to William Roscoe in *Nile's Weekly Register*, XXXIX (June 16, 1827), 268. Beaumont and Tocqueville (*du Système pénitentiaire*, pp. 97-100) also noted the great influence of clergymen in American prison reform. cf. Merle Curti, *Growth of American Thought* (2d ed., New York, 1951), pp. 380-382.

<sup>43</sup> [Francis Wayland], in *North American Review*, XLIX (July, 1839), 22.

seen as a great evil, visits to them by "virtuous persons" (usually clergymen) were always encouraged at Philadelphia as a mitigation of strict solitary confinement and for whatever good it could accomplish.<sup>44</sup>

Supporters of the Philadelphia system of day-and-night isolation never tired of criticizing the method of religious instruction at Auburn. At the New York institution, mingling of the convicts by day was the rule. On weekdays they congregated at the workshops and on Sundays gathered in the spacious Auburn chapel for religious services. Beaumont and Tocqueville, Catholics both, thought that this feature of the Auburn system, along with the presence there of a permanent chaplain, was eminently praiseworthy. William McDonald, a director of the Maryland Penitentiary in 1837 and Auburn supporter, pointed to the crucial religious issue between the two systems. Religious instruction, he said, "cannot be made so easily and effectual[ly] in separate cells as in assemblages. . . ." <sup>45</sup> Philadelphia supporters, however, thought that congregation of the convicts on Sunday for services was wrong, not only on penological but on religious grounds as well. They felt that mass exhortation of such a group of sinners as penitentiary prisoners was, in its very nature, "superficial." Moreover, it was thought that the gentle spirit of religion could not be transmitted "in the bustle and contact of a community of criminals." It is better, according to a past director of the Maryland Penitentiary, for clergymen to visit the prisoners "in the solitude and privacy of their cells, and there inculcate lessons of morality adapted to the intelligence, the capacity, and wants of each individual." Separate instruction in the solitary cells was thought by many to be preferable to a cheap, wholesale method of religious training.<sup>46</sup>

<sup>44</sup> *Seventeenth Annual Report of the Warden of the Eastern State Penitentiary* (Cherry Hill), quoted in Gray, *Prison Discipline in America*, p. 46. In the old Philadelphia prison on Walnut street the method of religious instruction was considerably more crude. A preacher addressed the prisoners from a platform beside a loaded cannon. A man with a lighted match was ready nearby to fire the cannon at the convicts, if necessary. See "Prisons and Prison Discipline," *Christian Examiner and Theological Review*, III (May-June, 1826), 207-208.

<sup>45</sup> *Du Système pénitentiaire*, pp. 97-98; McDonald and others in *Testimony*, p. 26.

<sup>46</sup> *American Quarterly Review*, XIV (September, 1833), 244; Dr. H. Willis Baxley (former director as well as physician at the Maryland Penitentiary) in *Testimony*, pp. 129, 138.

However prominently clergymen figured in the formation of prison policies and discipline at Auburn and especially at Philadelphia, in Maryland clerical influence at the state Penitentiary was faint indeed. This conclusion must be drawn despite the section in the "Rules and Regulations for the Government of the Penitentiary (1812)" which explicitly states that

it shall be the duty of the keeper carefully to inspect the moral conduct of the prisoners, to furnish them with such moral and religious books, as shall be recommended by the inspectors; and to procure the performance of divine service on Sunday, as often as may be, at which the prisoners shall attend.<sup>47</sup>

By their rejection of solitary confinement—first in day-to-day practice and then in 1828, by official policy—Marylanders made it improbable that the Philadelphia method of separate religious instruction would be adopted.<sup>48</sup> But neither did they follow the Auburn plan of hiring a permanent chaplain to minister to the spiritual needs of the prison population. Official responsibility apparently ended when Bibles were placed in all the cells.<sup>49</sup> The Boston Prison Discipline Society, which in typical Yankee fashion assumed the role of moral overseer of the nation's prisons, expressed continual dissatisfaction with the lack of adequate religious instruction at the Baltimore prison.<sup>50</sup> Marylanders, however, felt their obligations toward the prisoners to be adequately discharged by allowing Methodist clergymen and agents of the local Tract Society visit the prison on the Sabbath to hold services and distribute literature. "Much good," said the keeper of the Maryland Penitentiary, "apparently has resulted from this." Many others agreed.<sup>51</sup> But the Boston Society saw no reason to retract its early (1828)

<sup>47</sup> "Rules and Regulations . . .," January 3, 1812 in *Acts of Assembly &c.*, p. 48.

<sup>48</sup> There was also the question, never to my knowledge officially raised in Maryland, whether the Philadelphia system was anti-Catholic. The fact that under the rules of solitary confinement the Mass could not be celebrated was a strong argument in the hands of the French opponents of the Philadelphia system. See Cary, "France Looks to Pennsylvania," *Pennsylvania Magazine of History* . . . , LXXXII (April, 1958), 198.

<sup>49</sup> Crawford, *Report . . . on the Penitentiaries of the United States*, p. 95.

<sup>50</sup> See Boston Prison Discipline Society *Eleventh Annual Report* (1836), p. 41; *Twelfth* . . . (1837), p. 50; *Thirteenth* . . . (1838), p. 58, *et passim*.

<sup>51</sup> Testimony of Joseph Owens, keeper; John Armstrong, former director and others in *Testimony*, pp. 46, 76 *passim*.

and unfavorable judgment on the Maryland program for the spiritual regeneration of the state's prisoners.

In a prison so constructed [as the one at Baltimore, the Boston Prison Discipline Society declared] where the men and women, after public worship, instead of retiring in silence to their solitary cells, are locked up, in large numbers together and left to their evil passions, their songs of obscenity and mirth, or their curses and imprecations, resound from their gloomy walls, and the truth, which has been dispensed, is . . . like sparks on the ocean in a storm.<sup>52</sup>

Little was done by the Free State of Maryland in the Age of Tocqueville to bring the lively spirit of humanitarian religion to bear on the regeneration of the prisoners in its Penitentiary at Baltimore.

### 5.

Abstract doctrines of religious and penal reform were hotly debated at the Maryland Penitentiary, at Auburn and especially at Philadelphia, but the important bearing of architecture on prison discipline should also not be overlooked. At many American prisons the architecture determined in large measure the nature of the system to be followed. But the theory of discipline assumed was, in turn, influential in deciding the design to be adopted. No simple theory of causation accounts for the early development of the Maryland Penitentiary.

The prison at Baltimore, built in 1810-1811, remained essentially unchanged until 1829. The year before that, as we have seen, a select committee reported to the directors of the Maryland Penitentiary on the "contemplated improvement" of the institution. One of the first fruits of this improvement was a \$30,000 cell block built on the Auburn model (but with the interior arrangement characteristic of the Philadelphia Prison) and designed to hold 368 prisoners in solitary confinement at night.<sup>53</sup> This building, standing today on the Penitentiary grounds and housing the license plate shop, was designed, partly, by Louis Dwight, president of the Boston Prison Discipline Society.<sup>54</sup> It had an internal corridor like the buildings

<sup>52</sup> Boston Prison Discipline Society, *Third Annual Report* (1828), pp. 12-13.

<sup>53</sup> Crawford, *Report . . . on the Penitentiaries of the United States*, p. 94; Guillaume A. Blouet, *Rapport . . . sur les pénitenciers des États-Unis* (Paris, 1837), p. 35.

<sup>54</sup> Boston Prison Discipline Society, *Fifth Annual Report* (1830), p. 35.



of the Cherry Hill prison in Philadelphia with cells opening on both sides.<sup>55</sup> However, unlike Philadelphia, the cells in Baltimore were too small for daytime occupation. The old cell block, built in 1811, was reserved exclusively for women, but could not, the directors lamented, be governed according to the Auburn plan.<sup>56</sup> With its new cell block the Maryland Penitentiary would, in the words of its warden, be deserving of the highest praise one could bestow on any prison: it would be (in the men's section at least) "as valuable as that of Auburn."<sup>57</sup>

The next major structural addition to the Baltimore prison was completed in 1836, and the principle of construction was (curiously enough for a prison continually boasting of its likeness to Auburn) directly copied from Haviland's radiating cell blocks at Cherry Hill, Philadelphia. The three new buildings, designed by Baltimore architect Robert Long, contained central corridors converging on a central rotunda from which the inspection of discipline in the whole complex of buildings could be made instantly. The new buildings, although following Haviland's design, were officially intended to be "constructed on the same principle of the prisons governed by the regulations of the Auburn system."<sup>58</sup> The apparent paradox of using a design from one of the competing penal systems while declaring allegiance to the "principles" of the other is dispelled by realizing that the new buildings at Baltimore were not cell blocks, as were the radiating buildings at the Philadelphia prison. Instead, the buildings erected in 1836 were "workshops adapted for the manufacturing purposes in common with the objects designed by the improved system of prison discipline known under the name of the Auburn sys-

<sup>55</sup> At the Auburn prison the cells were arranged back-to-back, with corridors on both faces of the building. The magnificent cell blocks of the present Maryland Penitentiary have this arrangement.

<sup>56</sup> *Annual Report of the Directors of the Maryland Penitentiary, 1837* (Baltimore, 1838), p. 5; William McDonald and others in *Testimony*, p. 14. The women's cell block was not organized on the Philadelphia plan either. Prisoners of the fair sex were herded together by day in the workshops and by night in the overcrowded cells.

<sup>57</sup> Quoted in Boston Prison Discipline Society, *Third Annual Report* (1828), p. 10.

<sup>58</sup> Legislative enactment, quoted in *Report of the Committee appointed to Prepare Plans for the New Building to be Erected in the Yard of the Maryland Penitentiary* (Baltimore, 1835), p. 3.

tem.”<sup>59</sup> Only a prison such as the Maryland Penitentiary, outside, yet an interested spectator of the prison controversies of the day, could be eclectic enough to put a Philadelphia design to an Auburn use.

## 6.

Even before the new workshops were put into operation in 1837 the Maryland Penitentiary had already achieved fame (or notoriety) for its productive system of prison labor. William Crawford, the English visitor, noted in his *Report* of 1835 that the “Maryland State Prison is remarkable for nothing more than for the profits arising from its manufactures.”<sup>60</sup> A former director, testifying before a state legislature committee, was even more sharply critical.

I consider the Maryland Penitentiary [said Joseph Hook in 1837] nothing more than a great state manufactory. The punishment there inflicted has, in my opinion, produced no salutary effect upon the morals of the prisoners.<sup>61</sup>

For most citizens of the Free State, the fact that their Penitentiary was profitable, was probably a source of satisfaction. A Maryland committee visiting the other major prisons of the country in 1842 was happy to note that the Penitentiary of their state had the longest period of financial self-dependence. They reported that “during the period extending from 1822 to 1839, the Institution received no aid from the State for the discharge of its current expenses.” The prison was so profitable that from 1828 even the salaries of officials began to be paid from the earnings of the prison industries. During this period of affluence the Penitentiary yielded enough profit so that over

<sup>59</sup> William McDonald and others in *Testimony*, p. 12; *Report of the Select Committee on the Penitentiary to the Legislature of Maryland*, William A. Dulany, Chairman (Annapolis, 1836), p. 4.

<sup>60</sup> Crawford, *Report . . . on the Penitentiaries of the United States*, p. 22. A French visitor, Frederic A. Demetz (*Rapport . . . sur les pénitenciers des États-Unis* [Paris, 1837], p. 24), made a similar judgment. Social and economic factors behind the movement for prison labor are studied in George Rusche and Otto Kirchheimer, *Punishment and Social Structure* [International Institute of Social Research] (New York, 1939), chapter viii. At least one Maryland citizen was hurt by Crawford's remark. See Dr. H. Willis Baxley's remarks in *Testimony*, pp. 102-103.

<sup>61</sup> Joseph Hook in *Testimony*, p. 216.

\$69,000 worth of construction could be initiated without state help.<sup>62</sup> The prison at Baltimore was considered to be mainly an economic enterprise, and its directors administered it accordingly.

But it was not the directors of the Penitentiary only to whom the profit motive was to apply. Successful operation of the prison's industries was arranged to the advantage of prisoners as well. Convicts, if they worked hard and diligently were "credited with the sum or sums from time to time received by reason of their labor."<sup>63</sup> Beaumont and Tocqueville thought this practice—the "overwork"—the only noteworthy feature of the Maryland Penitentiary. Their judgment on it was unfavorable. They believed that it lessened discipline in the prison by allowing money to circulate for bribes and corruption.<sup>64</sup> The Maryland legislature did not recognize this danger until 1853 when it was decided that the overwork was not to be issued to the prisoner until his discharge.<sup>65</sup>

Profits derived from prison industry and the practice of hard work for convicts were not conceived of generally as being in any way opposed to reform. "Economy," it was held, could even hasten the process of reformation. "An evident deep contrition," said the directors in 1841, "is developed in very many cases" as a result of prison labor.<sup>66</sup> There was widespread agreement on the inestimable value (for the convicts) of the industries at the Baltimore prison.<sup>67</sup> In their extravagant praise for labor Maryland officials were partly voicing folk beliefs concerning the superior virtue of the worker-producer,<sup>68</sup> and

<sup>62</sup> *Report of the Committee on Prison Manufactures* [of the Maryland Penitentiary]; *September, 1842* (Baltimore, 1842), pp. 3-4.

<sup>63</sup> "An Act Concerning Crimes and Punishments," 1809 in *Acts of Assembly &c.*, p. 25.

<sup>64</sup> *Du Système pénitenciaire*, p. 71.

<sup>65</sup> *Rules and Regulations . . . of the Maryland Penitentiary* (Baltimore, 1853), p. 28.

<sup>66</sup> *Annual Report of the Directors of the Maryland Penitentiary, 1841* (Baltimore, 1841), p. 6.

<sup>67</sup> See William McDonald and others in *Testimony*, p. 12; *Committee Report* (1828), pp. 15, 24 for sanguine estimations of the value of prison labor.

<sup>68</sup> See, for example, the contemporary statement in Theophilus Fisk, "Capital against Labor," in Joseph Blau (ed.) *Social Theories of Jacksonian Democracy* (New York, 1954), pp. 199 ff.; the analysis of these beliefs in Marvin Meyers, *The Jacksonian Persuasion: Politics and Belief* (Stanford, 1957), p. 15; and of their persistence in Richard Hofstadter, *The Age of Reform: From Bryan to F. D. R.* (New York, 1955), pp. 64-65.

partly echoing the recently-voiced opinions of Philadelphia partisans. This latter group was forced to defend labor, after it had been introduced at Cherry Hill, in terms as glowing as had previously been reserved for pure solitary confinement. To Francis Wayland isolation merely planted a "seed" of regeneration which is then nourished by "habits of industry and thrift" which result from the beneficial regimen of "regular, daily labor."<sup>69</sup> When work is introduced the prisoner, according to Lieber, will love it "faithfully as the dearest companion—a companion who will be with him for life."<sup>70</sup> Auburn arguments were, of course, equally serviceable to those in Maryland bent on securing the benefits of prison labor. Construction of the workshops in 1836 was considered of great economic promise, but it was hoped in addition that they would provide for "the reformation of all [the prisoners]—aye, even the worst of them."<sup>71</sup>

The only apparent limit to the application of rational business methods to the industries at the Maryland Penitentiary was the need to keep all the prisoners busy. For that reason the products of the Baltimore prison were diverse enough to employ all but the most infirm of the convicts. Combs and brushes, nails, bags, brooms and hats all issued from the workshops. Also, there was some dyeing, sawing, smithing, stonecutting and granite breaking done at the Penitentiary.<sup>72</sup> But there was also a tendency to specialize in one class of manufactures. Textiles were chosen at the Maryland Penitentiary as at many other institutions because of the simplicity and safety of the manufacturing process. Weaving also gave the prisoners no opportunity to learn the "curious arts" of metallurgy which might be turned to criminal purposes upon release.<sup>73</sup>

<sup>69</sup> [Francis Wayland], in *North American Review*, XLIX (July, 1839), 23.

<sup>70</sup> It is doubtful whether Lieber intended to make a pun here: *Popular Essay*, p. 64.

<sup>71</sup> *Report of the Select Committee on the Penitentiary to the Legislature*, William Dulany, Chairman (Annapolis, 1836), p. 3.

<sup>72</sup> *Annual Report of the Directors of the Maryland Penitentiary, 1841* (Baltimore, 1841), p. 4; Mullen "Brief History of the Maryland Penitentiary," pp. 19-20.

<sup>73</sup> Boston Prison Discipline Society, *First Annual Report* (1826), pp. 20 ff. The industries of the Maryland Penitentiary were governed directly by the directors of the prison. An alternative—the contract system—was considered at least twice in the period under discussion here. The possibility of hiring-out convicts to private entrepreneurs was casually suggested in 1825 [*Journal*

The development of flourishing textile shops led to political problems for the directors of the Maryland Penitentiary. Baltimore weavers incessantly complained about the competition of prison goods. But the directors of the Maryland prison were always able to turn aside such attacks. The weavers, they said, "complain of a partial evil and require it to be removed at the sacrifice, of the public good."<sup>74</sup>

The image of the public good was always before the officials and directors of the Maryland Penitentiary (even, we may assume, while they were engaging in the occasional bits of corruption that the documentary record only partly conceals)<sup>75</sup> This concern for the public good is the feature of the Penitentiary administration that William Crawford misunderstood in his sneer about the profits of prison manufactures. People in Maryland were proud that their prison was a profitable institution, and they saw no particular opposition between "pecuniary interests" and reform. Prison labor was justified by the larger benefits it brought to the state of Maryland. A committee was proud to report in 1842 that:

Exceeding all the expectation which had been formed by the friends of Penitentiary institutions at their origin [the operation of the Maryland Penitentiary], instead of serving as a mere auxiliary in the general State provision for the maintenance of the criminal system, furnished a fund from which the entire charges of the convicts were defrayed. . . .<sup>76</sup>

---

of the House of Delegates of Maryland, December session, 1825, p. 77], and more seriously proposed in 1842 [*Annual Report of the Directors of the Maryland Penitentiary, 1842* (Baltimore, 1842), p. 5]. Such a system was not put into practice until after the Civil War. Before 1833 products of the workshops were sold in a prison outlet store in Baltimore. Afterward they were disposed of through commission houses charging 6%. The warden took another 5%. See Wilkinson, "The Maryland Penitentiary," pp. 202-203.

<sup>74</sup> *Report of the Committee on Prison Manufactures . . .* (Baltimore, 1842), p. 13; Lewis, *Development of American Prisons*, p. 208; *Annual Report of the Directors of the Maryland Penitentiary, 1837* (Baltimore, 1838), p. 7. Most American penal institutions providing labor for their inmates faced this problem. See, for example, Negley K. Teeters "The Early Days of the Philadelphia House of Refuge," *Pennsylvania History*, XXVII (April, 1960), 179-180.

<sup>75</sup> See, for an example, the *Testimony of James McEvoy to the Joint Committee of the Legislature . . .* (Baltimore, 1837). McEvoy, clerk at the Maryland Penitentiary when Tocqueville visited, was discharged apparently because he knew too much about the shady practices of the directors.

<sup>76</sup> *Report of the Committee on Prison Manufactures . . .* (Baltimore, 1842), p. 4.

Supporters as well as critics unfavorable to the Maryland Penitentiary agreed that its most distinctive feature was the efficient and economical administration of the prison labor system. Purely reformist practices as exemplified by the Pennsylvania prisons were expensive, and the tendency at Baltimore was to subordinate these to the easily appreciated regimen of the workshops. If the end result of this policy was occasionally hard on the convicts, it was probably thereby easier on the community. Moreover, careful administration of a prison with a sharp eye on "pecuniary interests" was in accord with the prevalent philosophy of government in the America that Tocqueville visited.<sup>77</sup> The goal of a polity was to create just, unobtrusive and inexpensive government. This view carried over nicely into the state penal administration of Maryland, where prison policy was seen in the larger context of, and distinctly subordinate to, efficient state government.

<sup>77</sup> See the analysis of this conception as held by those captivated by the Jacksonian rhetoric in Marvin Meyers, *The Jacksonian Persuasion*, pp. 20-21.

## SIDELIGHTS

---

### FOUR DANIEL OF ST. THOMAS JENIFER LETTERS

Edited by S. SYDNEY BRADFORD

Daniel of St. Thomas Jenifer, whose unusual name is yet unexplained,<sup>1</sup> played a zestful role in Maryland society, politics, and business in the latter half of the eighteenth century. Born in Charles County in 1723, he built and maintained until his death on November 16, 1790, a large and hospitable estate, known as Stepney, at Port Tobacco. Like Port Tobacco, Jenifer's home has long since disappeared, but we know that during his lifetime Jenifer greeted innumerable guests as they alighted from their coaches or horses before his house, among whom was George Washington.<sup>2</sup> Perhaps a mutual devotion to agriculture helped to bring Washington and Jenifer together. Jenifer, for example, sent cherry and apple trees to Mount Vernon in 1785 and 1786, and both he and Washington, while attending the Constitutional Convention, visited George Logan at Stenton in order to observe the results of Logan's use of gypsum on clover and timothy.<sup>3</sup>

As their attendance at the Constitutional Convention indicates, the many problems of the new nation also threw Washington and Jenifer together. During the proprietary years in Maryland, Jenifer held many public offices, acting as agent and receiver for the last two proprietors, sitting as a member of the commission to resolve the boundary dispute between Maryland and Pennsylvania, and assuming a seat on the governor's council in 1773.<sup>4</sup> As the quarrel between the colonists and Britain grew more heated between 1763 and 1775, Jenifer hoped for a peaceful solution probably fearing, as he says in one of the following letters, that once "the Sword be . . . drawn, no one can say when it will be sheathed. . . ." <sup>5</sup> When the fateful clash between the redcoats and the Massachusetts farmers in April, 1775 unleashed a full scale revolution, however, Jenifer

---

<sup>1</sup> John C. Fitzpatrick, *Diaries of George Washington* (4 vol.; New York, 1925), I, fn. 2, 271-72, suggests that the "of St. Thomas" may have stemmed from a connection with the St. Thomas River in St. Mary's County, or from some ancestral relationship with the island of St. Thomas in the West Indies.

<sup>2</sup> *DAB*; Paul Wiltach, *Tidewater Maryland* (Indianapolis, 1931), p. 321.

<sup>3</sup> Fitzpatrick, *Diaries*, II, 444, III, 25; Olive Moore Gambrill, "John Beale Bordley and the Early Years of the Philadelphia Agricultural Society," *Pennsylvania Magazine of History and Biography*, LXVI (Oct., 1942), 437.

<sup>4</sup> *DNB*.

<sup>5</sup> See Jenifer to Robert and James Christie, Feb. 21, 1766 below.

cast his lot, as Washington did, with those determined to defend self-government, and he became president of the Maryland Council of Safety. Once Maryland had created a state government, Jenifer was elected to the presidency of the state's senate. In the following year, 1778, he journeyed to Philadelphia to represent his native state in the Congress. Jenifer rode to Mount Vernon in 1785 as one of Maryland's commissioners to discuss with the representatives of Virginia the troublesome questions about the states' respective rights on the Potomac River. This conference set in motion the forces that led to the Constitutional Convention in 1787, over which Washington presided and in which Jenifer played a rather small role. Although not prominent during the meetings of the Constitutional Convention, Jenifer signed the completed document in September, 1787 and campaigned at home for ratification.<sup>6</sup>

Jenifer's support for the Constitution is probably explained by the station he occupied in society and his business interests. Indeed, the following letters are largely concerned with business affairs. All of them are addressed to either one or both of the Christie brothers, James and Robert, who were merchants in Baltimore, and both of whom Maryland expelled early in the Revolution for being unfriendly to America.<sup>7</sup> The tobacco trade, legal matters, and proprietary affairs are all discussed in the letters, but perhaps most interesting is Jenifer's reaction to the disasters that befell Britain in 1757 during the French and Indian War and his opinion on the Stamp Act crisis.

All of these letters are in the Lloyd W. Smith Collection, except the one for February 21, 1766, which is in the Park Collection, Morristown National Historical Park, Morristown, New Jersey.

Maryland Nov. 27th. 1757.

Robert Christie Esq.

Sir,

Since my last of the 8th. Instant have recd advices from Capt. Chalmers that the Ruby would be Launch'd the 2d. of this Month, that his lower Masts at that time would be in and rig'd, and that if he was not detained for want of hands he expected to Sail by the 15th. I do not look for him now till the 10th. Decr. which will be so late that unless we have a mild Winter he will not get out before the last of February.

I this Day recd a Letter from Mr. James Christie telling me that he unluckily left your Letters for me in his Chest wch. remains in Virga.

I have enter'd into Charter with Mr. Alexr. [Carsonlane (?)] for forty

<sup>6</sup> DAB; Kate Mason Rowland, "The Mount Vernon Conference," *Pennsylvania Magazine of History and Biography*, XI (1887), 415.

<sup>7</sup> The Christies' Baltimore property was also confiscated. Philip A. Crowl, *Maryland During and After the Revolution* (Baltimore, 1943), pp. 48-49, 66. See James Christie's slim volume, *Case of James Christie, jun.* (1776?) for his account of his expulsion from Maryland.



Hhd. Tobo. at £13.0.0 pr Tonn, the Notes to be deliver'd on the Ships arrival at Ced Point Warehouse which is very convenient. I wish that had been favor'd with advices from you of the State of your Market, as I am apprehensive more might have been made by Selling the Tobacco from 9/6 to 10/ Bills & Charter'd the Ship at £12, wch. prices & [Freight (?)], I could have had tho' the Cash price I believe was from an Accident of Mess. Glassford & Co. sending a Ship more than their Factors expected, they are now done buying with Cash. I brought a little at 8/10 p about a fortnight ago in hopes of the Rubys arrival time enough to get her out before the last of Decr.

We are inform'd that the French Fleet at Louisbourg have fitted out several Privateers to coast from thence to the Southerd to intercept Provisions that may be sent from the Continent being in great want. I can't say anything to you in favour of this Campaign wch. is now I believe over, the next I hope will be attended with better success.<sup>8</sup> I know but little of Politics, but really it seems surprizing to me that almost all the powers in Europe should come into measures for the increasing power to the House of Bourbon wch. always appear'd to me to be their particular Interest to Check. If the Russians Swede, Dutch, & German Princes will not open their Eyes, I think the French soon will be in a fare way to Universal Monarchy.<sup>9</sup> I always very truely am

Dear Sir

Your affecte. hble Servt.  
Dan of St. Thos. Jenifer

Dr. Sir <sup>10</sup>

I am very sorry for your indisposition, but hope that you will soon recover. As to what Tobacco of Mr. Calverts that has been sold the Notes may be returned & he is not intitled to the price that you gave for the others; for it was Tobo. you bought & wch. Mr. Calvert Sold. I have therefore taken these Notes from Capt. Hamilton in Order to return to Jno. Davidson. [Kay (?)] writes a day or two ago that he should in a day or two buy as much Lumber as would fill up Cockey. He at same time drew on me to pay Acquilla Hall 160 £ for Tobo. but as I was not in Cash I could not answer his demand. By Capt. Hamilton you will receive £50 wch. is near all the Money I have—I am

Dear Bob

Your . . . .

Sepr. 27th. 1765

<sup>8</sup> The surrender of Fort William Henry and the abandonment of the attack against the French stronghold at Louisbourg made 1757 a disastrous year for Great Britain in her struggle with France in North America during the French and Indian War (Lawrence Henry Gipson, *The Great War for the Empire: The Victorious Years, 1758-1760* [New York, 1949], pp. 84, 103, 116).

<sup>9</sup> By the end of December, Frederick the Great had rendered Jenifer's fears about France baseless, as he had defeated the French and their allies in Europe. Gipson, *Great War for Empire*, p. 125.

<sup>10</sup> Although no address survives for this letter, the closing "Dear Bob" and the endorsement, in the same hand as on the other letters, shows that this letter went to Robert Christie.

Portobacco February 21st. 1766.

Messrs. Robert & James Christie  
Gentlemen,

Your favor of the 19th. October is just come to hand. It gives me pleasure that the part I have Acted in Mr. Johnstons affairs meets with your approbation; *nothing in my power shall be wanting to bring them to a happy conclusion.* Tho' I fear the Stamp Act will retard the Issue, all Judicial business being at a stop, & indeed the whole continent is like to be in great confusion. There is not an American scarce to be met with, but looks upon the Act with the utmost abhorrence as being Subversive of their Charters and Liberties; but there are many of the thinking people that disapprove of the violences committed in several of the Governments; these outrages I fear will irretate the Parliament, and perhaps occasion precipitant resolutions, which may be of the worst consequence to them and us, a union is certainly to be preferred; for should the Sword be once drawn, no one can say when it will be sheathed, for my own part hope the Parliament will pay a regard to the Remonstrances sent them by the several Governments.<sup>11</sup> I wish with all my heart that your Debts could be got in, and you thereby made easy in your Circumstances; I will assist your Son & Brother all that I can in a Collection this summer. He is now gone to Norfolk to see Allen who I believe to be a vile rascal, and has by what I can learn foolishly squandered away every thing he brought out with him, unless any remittances hath lately come to your hands. I am glad you are like to gain by the purchase Bobby made for your Ships, the rise with you hath occasioned many purchasers here 12/6 Sterg. and upwards offered some sold at that price, which has raised the Planters expectation so high at this time that they will not sell at any price. I am well pleased with your purchase of the two lottery tickets, you will be pleased to inform me when drawn my fate. Inclosed you have Jere Adertons exchange on Joseph Aderton for £35 Sterlg. which apply to my credit. I wish you health & happiness and am with great affection

Your. . . .

To Messrs. Robt. & Jas. Christie  
Merchts.  
London

<sup>11</sup> In Maryland, a mob in Annapolis hanged stamp agent Zachariah Hood in effigy in August, destroyed his warehouses, and forced him to flee to New York. Although Hood resigned from his unpopular office, he never recovered from his personal disaster and he finally ended his days in poverty in the West Indies. (Bernard Knollenberg, *Origin of the American Revolution: 1759-1766* [New York, 1960], pp. 226, 237, 239; Charles A. Barker, *The Background of the Revolution in Maryland* [New Haven, 1940], pp. 299-300).

March 12th. 1772.

Dear Sir,

I wish it had been convenient for Mr. Christie to have taken up his Bond, but as the case is otherwise I must wait.

Lord Baltimore<sup>12</sup> left the Province to his Natural Son, remainder to the Sister of the Son, remainder to Mrs. Eden on failure of their Heirs with a legacy of Ten thousand pounds to Mrs. Browning, & as much to Mrs. Eden provided they did not contest the Will.<sup>13</sup> It is the opinion of some Eminent Lawyers, that the Sisters will take in preference to Harford the Natural Son. I think that it not likely that I shall suffer by the Event, as I have reason to believe that all parties are desirous, that I should continue in the Agency. I shall set out to Charles soon as there is any travelling with convenience. I am with my Compliments to yr. family

Dr Sir

Your . . .

To

Robert Christie

Balt. Town

<sup>12</sup> Frederick Calvert, sixth Lord Baltimore (1731-1771), *DNB*.

<sup>13</sup> Frederick left the province to Henry Harford, his natural son, and thus broke his father's will, which had stipulated that Frederick's eldest sister, Louisa Browning, should inherit the colony if Frederick had no heirs. Frederick's younger sister, Caroline Calvert, had married Robert Eden, whom Frederick had made governor of Maryland before he died. Clayton Colman Hall, *The Lords Baltimore and the Maryland Palatinate* (Baltimore, 1902), p. 169.

## REVIEWS OF RECENT BOOKS

---

*Queens of the Western Ocean: The Story of American's Mail and Passenger Sailing Lines.* By CARL C. CUTLER. Annapolis, U. S. Naval Institute, 1961. 672. \$12.50.

The Packet Ship Era marks a step forward in the methods of American commerce and business in the long evolution from feudal privateering to railway schedules. Of thousands of vessels wending their ways through inland waters or the billows of the ocean a small portion now endeavored to hold to an announced schedule of sailings. If one accepts the word Packet as signifying sailing on schedule, then only two out of nine half-models of the type owned by Maryland Historical Society qualify as "liners," or are to be found in these tabulations. Yankee ingenuity had contrived combinations of sloop and schooner, steamboat and stagecoach lines, even while blockaded during the War of 1812. Of 24 leading Baltimore ship-owners sending vessels overseas in 1810, including Isaac McKim and Alexander Brown, only Isaiah Mankin was to operate a scheduled line. During five years 1846 to 1851 James Corner & Sons, and from then until 1860 James Mankin, ran the Corner Line, using a hundred ships from first to last. The coastal lines used many other ships but did not compare in number with the free traders. Since this volume is restricted to the account of vessels on fixed schedules, it leaves a great part of the story of Baltimore port still untold.

Here is a prodigious marshalling of fragmentary items, successes, financial failures, ghastly shipwrecks. The book has not the continuity, force and charm of the author's *Greyhounds of the Sea* which told of the culminating triumphs of the Age of Sail in our great clipper ships. But it is replete with the small beginnings of master mariners and captains of industry, an unbiased account of contemporary praise and censure for sail and steam packets alike. The great majority of names, both of vessels and of men, appear in the Appendix tabulations, and one senses that there were other unsung thousands trading coastwise or over desert ocean.

There are acknowledgments to Enoch Pratt Library and to Maryland Historical Society. There are illustrations of seven Baltimore vessels and a tintype of a Baltimore shipowner. There are over

40 paragraphs descriptive of events in Baltimore shipping between 1770 and 1860, but one must seek them out from the more numerous accounts of New York and other cities. One feels that this proportion is an accurate presentation of the scheduled lines, for New York had the Erie Canal, gateway to the West. For instance, in Appendix I the overseas packet lines of Boston fill 6 pages, of New York 26, Philadelphia has 5 pages; Baltimore 3; New Orleans 3. These Tables are the backbone of the book, a remarkable recounting of lines, agents, vessels and masters. The Index to ships' names covers about 5,500 and there is a general index of the same scope. There are also other Appendices, including fast Packet passages, designs and sail-plans of vessels, etc. The whole is a gold-mine of information for persons interested in our sea-borne commerce, or in the feats of early mariners. The listing on page 408 of ship *Andalusia*, 772 tons, under the Corner Line of Atlantic packets, differs from records at Maryland Historical Society and in Fairburn, which place her under ownership of David, Thomas & Henry Wilson in the California and China trades.

R. HAMMOND GIBSON

*Easton, Md.*

*Greyhounds of the Sea: The Story of the American Clipper Ship.*

By CARL C. CUTLER. Annapolis, Md., U. S. Naval Institute, 1961. xxvii, 592. \$12.50 (Revised).

This book is based upon tabulations of the voyages of bona fide clipper ships on all the oceans, particularly in that period of American sail from 1848 to 1860. It was written to commemorate the champions and the also-rans; to prove that there were dozens of tall ships dividing the honors. To accomplish this the author searched in books, log-books, Custom House records, Historical Societies, and musty newsprint files in many seaports. This is the backbone of the work, Appendices II through IV. There are other tabulations, one giving details of Clippers built year by year; two more quoting log-book narrations of the *Flying Cloud's* and *Andrew Jackson's* runs to the Golden Gate. Another gives hull lines and sailplans of a number of vessels, showing their increase in size and speed over the years. There are pages of acknowledgments, together with full bibliography, notes, and an index of men and ships, perhaps a thousand each. It all might have made a very dull book.

Just the contrary is true, as the author begins with 400 pages of most stimulating maritime American history condensed into 33

short chapters, 12 of which lead up to the appearance of the great commercial clipper ships, North Atlantic shire horses cross bred with Baltimore Arabians. The whole is replete with splendid reproductions of paintings, daguerreotypes, photographs, old plans and half-models. Corrections in the new edition have been unobtrusively made; a very few more illustrations have been added, so that it is published from the same plates with the same page numbers; nor is the rhythm of the story broken.

Once the reader is launched on this epic of how our forefathers thought and acted, and of how much the Ocean had to do with their skills, their economy and their very existence, he will turn to the tabulations for reference again and again. From the primitive Colonial struggles, step by step, we see them build up the ships, the trade, the wealth of the nation. Maury's wind charts of the world mark the pinnacle of the Clipper Ships, themselves a thousandfold more complex than the long-boats of the Phoenicians or the Norsemen. Daring to thresh through the shrieking gale, outdistancing everything in their day, they rose to a brave summit and became a symbol of our nation until a grimy, but kindlier, smoke pushed them aside.

What makes the reading so fascinating is the admiration expressed, the discernment of causes and effects, the beauty of language, the thoroughness of the methods used to commemorate those who sailed the greatest ships. In recording their deeds Carl Cutler has reached a very high standard and made a good adventure book out of a reference work. If there are any faults in this wonderful book, the author has apologized for them in his introduction. However, his able assistants in revision have carried the work close to the proficiency of an encyclopedia.

R. HAMMOND GIBSON

*Easton, Md.*

*Adrienne: The Life of the Marquise de La Fayette.* By ANDRÉ MAUROIS. Translated by GERARD HOPKINS. New York: McGraw-Hill, 1961. xi, 483. \$7.95.

Though the term is out of fashion in this mechanistic age, the sense of romance must always be associated with the name of Lafayette. Now to complete the tale of his career comes this book throwing a fresh glow around him. We learn of the headlong emotion of Madame Lafayette's love for him, her voluntary sharing of his prison, and her heroic struggle to save their fortunes after

the Terror. Not only that, but the Introduction by Count René de Chambrun, a descendant of Lafayette and owner of his home, La Grange, reports the almost incredible find there in 1955 of the enormous collection of letters, papers and other valuables of the Marquis on which the book is chiefly based. Important revisions of the accepted biographies of the Marquis are now called for.

The gifted author has marshaled a vast aggregate of material with skill and interpreted it with his usual clarity. He has given us in effect a double biography, for Adrienne's entire life revolved around her husband, save only for her religion which was a thing apart and vital to her. The love she gave him was a phenomenon, so strong as often to threaten swooning, although in many practical affairs she was the stronger of the two. It caused her to support totally his ideas of liberty and of freedom of religion; and also to accept his attachment to one mistress after another. Hers was a humility not given to many; yet she knew when to summon the pride she felt in him. She could manage his business affairs and her own. She persisted despite all the political upsets of the Revolution and its aftermath in having her husband restored to his rights and position. Her last words to him were, "I am all yours." Her name should become a synonym for feminine virtue and courage.

Lafayette is painted as "a man made wholly of feeling," inconstant in business and marriage, over-idealistic, over-eager for recognition and revelling in the triumph accorded "the hero of two worlds." On the other hand, his devotion to the people's rights as he saw them, through all the turmoil of French politics during 50 years, is happily called "the eccentricity of being consistent." This it was that brought him down. His warm, vivid and voluble letters, many never before printed, are woven into the narrative to recreate both his character and the contemporary atmosphere. American admirers will find here a Lafayette bulking even larger, perhaps, in his country's history than we knew. The turns, counter-turns and overturns of political authority during and after the Terror are brilliantly portrayed. Maurois details the many exchanges between Lafayette and Napoleon.

Those who have visited La Grange and seen the almost incredible garner of Lafayette memorabilia and the loving restoration of the property to its condition in the General's lifetime will welcome this book so evocative of a moving experience. Having been closed as if a hermitage for 75 years, the thick stone walls serving as air-conditioning, the chateau is giving up its secrets as the Chambruns room by room and shelf by shelf are sorting, analyzing and with expert assistance filing for permanent keeping the letters, docu-

ments, journals and newspapers put away by Lafayette himself. There are letters from the founding fathers of the United States, some from Marylanders, as well as files of the *American Farmer* and other Baltimore publications, while on the walls of the stair hang prints of this city.

If any complaint about the book is justified, it is the lack of genealogical tables showing the Lafayette-Noailles lines, (several are included in the French edition, as well as more pictures), and the plethora of details about births, teething and indisposition of collateral relatives. One glaring error is the statement on page 466 that Lafayette spent only four months in 1824 in this country. In fact, he arrived in August, 1824, and departed in September, 1825. M. Maurois has supplied, generally, sources for his statements, but is evidently not familiar with the American literature on Lafayette. J. Bennett Nolan's *Lafayette in America Day by Day*, published in 1924 by the Johns Hopkins Press, would have prevented the slip of the translator who confused the four months tour of the southern and western states with the length of Lafayette's stay in America.

JAMES W. FOSTER

*Indian Affairs in Colonial New York: The Seventeenth Century.*

By ALLEN W. TRELEASE. Ithaca: Cornell University Press, 1960. xv, 379. \$6.75.

Allen Trelease has told a tale of forest diplomacy among the Dutch, the Swedes, the English, the French and the Indians of New York from the voyage of the *Half Moon* in 1609 to the Iroquois' cession of their western hunting grounds to the British Crown in 1701. Centering his discussion on Dutch and English dealings with the New York tribes, the author castigates both for their myopic concern with the fur trade, and adds a convincing denunciation of the English for their overweening ambition in pretending to sovereignty over the Iroquois. His admiration is reserved (with reservations) for the Indian confederation's largely successful maneuver in maintaining a balance of power among the Europeans and thus gaining freedom for the unimpeded pursuit of its own aims.

Taking issue with earlier historians' tendency to project the sophisticated motives of European diplomats onto the chiefs of the Five Nations, Trelease contends that (1) the Iroquois confederation was not so closely united as has been believed; (2) its wars with the



western Indians were motivated by avarice for furs and hunting grounds, rather than the ambition to monopolize the role of middlemen in the fur trade; (3) its acceptance of English sovereignty was always symbolic and expedient, implying no commitment to renounce independent action when such action seemed more expedient.

Apparently the author's primary intent is to give a chronological account of Dutch and English diplomacy. Writing with zest, elegance, and detachment, he deals critically with the evidence on such familiar topics as land purchase—and repurchase; the traffic in furs, guns, and liquor; conflict and cooperation between settlers and Indians; missions; education; and the gradual demoralization of coastal Indian society. Although he introduces his narrative by synthesizing the anthropologists' analyses of the location and character of the principal Indian groups, his angle of vision in the remainder of the book is basically that of the authors of his documents. Hence, the acculturation of the New York tribes is marginal rather than central to the story. Probably such a vantage point is dictated by the kind and amount of the available evidence. The result is a conventional history written with uncommon critical acuity and stylistic sophistication.

MARY E. YOUNG

*Ohio State University*

*Robert Livingston, 1654-1728, and the Politics of Colonial New York.* By LAWRENCE H. LEDER. Chapel Hill: The University of North Carolina Press, 1961. (Published for the Institute of Early American History and Culture at Williamsburg). xii, 306. \$6.

Born in Scotland in 1654 of a staunch Calvinist family, Robert Livingston arrived in America at the age of nineteen, virtually penniless. Yet during the next 55 years, he became one of the most powerful figures in the politics of colonial New York. By dint of hard work, he likewise became a leading merchant and landowner.

Starting out as a minor official in outlying Albany, Livingston gradually ascended the political ladder until he was elected speaker of the colonial assembly. On the way up, he served in many capacities under four governors: Fletcher, Cornbury, Hunter, and Burnet. During the troubles of 1689-1691, he was a firm opponent of Jacob Leisler and was partly responsible for Leisler's execution.

Livingston was one of the first New Yorkers to realize the value

of the Indian trade and did much to extend it westward. Furthermore, as an agent of Governor Hunter, he was active in settling the Palatines in the Mohawk Valley region. His mercantile ventures were widespread and frequently lucrative, although his desire for gain caused him to be involved, almost disastrously, with the notorious Captain William Kidd.

Dr. Leder, who won the first Annual Manuscript Award of the Institute of Early American History and Culture for this volume, has done an amazing amount of research on Robert Livingston, as his footnotes and bibliography attest. He has made available to the reader for the first time the intricacies of New York colonial politics during the last quarter of the seventeenth century and the first quarter of the eighteenth. This was the period when the breach widened between the mother country and the colonies concerning the approach to administrative problems, a breach that boded ill for the maintenance of the British Empire.

Livingston was not a particularly pleasant man. Generally he thought only of himself and his fortune. He was ready to attack anyone who stood in his way, and his scruples left much to be desired. As Dr. Leder says of him:

Within Livingston's personalities were elements which could easily have made him repugnant had they not been balanced by qualities which, though they did not endear him to his enemies, made him at least palatable to his friends. He was eager for success, ambitious and often grasping; he was stubborn, deceitful, and self-seeking, but he was able to blend the concepts of private gain and public service more effectively than most of his fellow New Yorkers. As much as he bewailed his inability to follow mercantile pursuits exclusively, Livingston was a master politician who stood ready to capitalize upon any situation that presented itself and, if need be, to create the situation. And, whether through fate or ability, he frequently found that his interests and those of his colony and the Crown were compatible, if not identical. Thus, by keeping his eye to the main chance, Robert Livingston served himself, the province, and the empire equally well.

Perhaps the strangest thing about this powerful figure was that "his passing evoked no eulogy in the colony's fledgling newspaper, and his family papers contain no letters of condolence from friends or relatives. Even the letters of contemporaries . . . made no mention of his demise." Yet it was this type of man who was needed to help guide the colony of New York through a most troublesome time of its history, and Dr. Leder has contributed greatly to making this hitherto obscure period an important link in the story of colonial America.

O. T. BARCK, JR.

*Syracuse University*

*Historical Statistics of the United States, Colonial Times to 1957: A Statistical Abstract Supplement.* Prepared by the Bureau of the Census with the Cooperation of the Social Science Research Council. Washington, D. C.: U. S. Department of Commerce, Bureau of the Census. 1960. xi, 789. \$6.

While no thoughtful man would urge that nothing is valid unless it can be measured, weighed, or counted, it is true that the world has many phenomena that are best described in these terms. Indeed, the number of those phenomena is far larger than might be suspected by some of the historians who place their emphasis upon qualitative differentia. Not only does every generalization have a numerical aspect, but it is that aspect which is more important than any other in determining the degree to which the generalization is right or wrong. Make a general statement of any kind and it will be necessary to ask of it, as the late Sir John Clapham used to remind us: how often? how long? how representative? Numbers alone are not enough. But thoughtful men know that wherever it is possible to qualify a generalization by fixing its numerical dimensions the cause of more exact truth is thereby advanced.

The volume at hand provides an indispensable tool for those who labor in that cause. It brings together in a single source quantitative data from hundreds of scattered sources. And it provides, at the same time, a guide to these other, more detailed sources. The data it presents almost cover the spectrum of contemporary enquiry in the social sciences. Such statistical series as those on national income and wealth, agriculture, labor, business enterprise, and prices, will serve the needs of the student of economic life. Those pertaining to social security and welfare, education, crime and correction, recreation, and religious affiliation, will serve students of social development. Tabulations concerning elections and politics, government employment and finances, and armed forces and veterans, will aid both of the former groups, and also students of political science. The main omission are data covering regions, states, and localities.

Prepared by the Bureau of the Census, with the advice and cooperation of the Social Science Research Council, the present edition is nearly three times the thickness of the pioneer edition of 1949. It is much more than three times the value. A grant from the Ford Foundation made possible the retention of 125 outside consultants, and their expertise has evidently contributed much to the improvement of the first edition in both coverage and accuracy.

STUART BRUCHEY

*Michigan State University*

*American Railroads.* By JOHN F. STOVER. Edited by DANIEL J. BOORSTIN for the Chicago History of American Civilization Series. Chicago: The University of Chicago Press, 1961. xiv, 302. \$5.

The literature of American railroading is so immense that anyone attempting a one-volume railroad history must be both brave and learned. Moreover, his learning must be broad; for the full significance of railroad history emerges only when it is written with some command of economics, politics, law, finance and mechanics.

Mr. Stover, professor of history at Purdue, fills the bill admirably. His profound knowledge of his subject and his comprehension of the other subjects inextricably related to it enable him to compress without losing either balance or significance. He avoids the merely picturesque, the anecdote for its own sake, the nostalgia for the iron horse expressed in gassy prose. But he is never at a loss for a significant anecdote or fact that will help to prove a serious point.

Mr. Stover's chapters on railroading since the Civil War are outstanding. The financial immorality of some of the railroad barons of the seventies and their disregard of public welfare produced discriminatory practices that brought Federal regulation in 1887.

Mr. Stover brings his work down to 1960, thereby demonstrating that history can be a straitjacket as well as an illumination. "In the mid-twentieth century," he comments, "the nation's railroads were still under nearly total regulation, even though the days of monopoly were long since gone." Even the astonishing technical advances that have transformed railroading in recent decades have not sufficed, as Mr. Stover emphasizes, to overcome such artificial burdens as subsidies to railroad competitors, discriminatory taxation and enforcement of laws once effective to curb the rapacity of a Fiske or the explosions of steam boilers, but meaningless today.

EDWARD G. HOWARD

*Baltimore, Md.*

*The Burden of Southern History.* By C. VANN WOODWARD. Baton Rouge: Louisiana State University Press, 1960. xiv, 205. \$3.50.

A reader of the numerous works of Professor Woodward comes to expect new and scintillating insights into the history of the South. Yet with each new book there are provocative surprises. *The Burden of Southern History*, a collection of essays published in various journals during the past decade, is no exception. Here we

find the scholar who has probed deeply in his field reflecting and interpreting. The result is a work that transcends regional history in any limiting sense of the term.

The questions that Professor Woodward raises are questions that are important to the South today, but they are also pertinent for the whole nation. What is the effect of the "bulldozer revolution" which has now moved to the South, and will it bring an end to the South as a differentiated region whose people think of themselves not only as Americans but as Southerners? Is this Southern identity worth preserving? What is the meaning of the literary renaissance that has been going on in the South throughout most of the twentieth century? What lessons can historians learn from the literary men? Was Southern, and Western, Populism a genuine reform movement reflecting what is best in the American tradition, or did it pave the way for McCarthyism? What is there in the Southern experience that the nation might ponder in the assessment of its role and the determination of its policies in the twentieth century world? In dealing with these questions the author is sometimes social scientist, sometimes literary critic, and at other times political theorist, without ever abandoning common sense. The result is the product of the mature mind grappling with the complexities of history.

In spite of the separateness of these essays, each of which can stand alone, when brought together they present a consistent theme. Some aspects of the Southern tradition, it suggests, are worth preserving. Populism, while it had its racist and zaney side, had its liberal side too and was not only by Bible Belt "Rednecks" but by Anglican gentlemen as well. The experience of the South, the only region in America to endure military defeat and occupation, is worth looking into if for no other reason than to demonstrate the fallacy and danger of the chosen people concept in America.

In no sense is this a nostalgic book about the South or the Lost Cause. Rather it is the product of a lucid thinker who seems to view history as one possible vehicle for the advancement of wisdom and understanding at a time when it is desperately needed.

Although Professor Woodward would be the last to make such a claim, his own career as a scholar, and this book in particular, provides ample evidence of one of the points he makes—that a man with a Southern background and education, one who has shared the Southern experience, may work from a vantage point in bringing illumination and compassion to the study of history.

PATRICK W. RIDDLEBERGER

*Southern Illinois University*

*Colonial Virginia.* By RICHARD L. MORTON. Chapel Hill: University of North Carolina Press, 1960. 2 vols., xvi, x, 883 pp., illustrated. \$15.

From the first settlement at Jamestown in 1607 to the Declaration of Independence Virginia was at the forefront of affairs in British North America. The first permanent English colony in America in the seventeenth century, it was not only the largest and most populous but also the most highly prized British possession on the continent in the eighteenth century. When the Stamp Act threatened colonial rights, Virginia sounded the call to resistance, and Virginians were conspicuous throughout the heated debate that followed and in the affairs of the new nation for the next half century. These extraordinary achievements have captured the imaginations of the twentieth-century American public. The restorations at Williamsburg and Jamestown have revealed the romantic qualities of colonial Virginia, and a number of excellent monographs have unlocked some of the secrets of its early genius. Despite this surge of interest, there has been no general history of the colony since Charles Campbell's one-volume account appeared in 1860. Publication of this excellent study by Professor Richard L. Morton, one of Virginia's most distinguished historians, is therefore a particularly welcome event.

Professor Morton's two volumes trace the history of Virginia down to 1763. The first volume, *The Tidewater Period*, takes the colony through its first century. During these years it was occupied with problems of adapting to the American environment and of laying the foundations for a stable society. This last problem was complicated by the fact that the colony's fortunes were inextricably tied to the vagaries of English politics. Three times within little more than a half century events in England—the fall of the Virginia Company, the triumph of the Commonwealth, and the Restoration—disrupted the colony's political life. The Restoration seemed to promise more stability, but just fifteen years later conditions within the colony produced a new and unsettling upheaval, Bacon's Rebellion. In its wake came a long series of controversies between successive royal governors—Culpeper, Howard, Andros, and Nicholson—and the rising plantation gentry that would culminate in a state of political equilibrium between royal authority and local control. For most of this story Morton follows the interpretations of earlier scholars, Brown and Craven on the company years and Wertenbaker for the Stuart period. On Bacon's Rebellion he is closer to Wertenbaker than to Washburn. He agrees with Wash-

burn that the rebellion had its immediate roots in the Indian troubles, but he also supports Wertenbaker in his judgement that it unleashed latent democratic forces stifled by a decade of Berkeley's tyrannical rule and became a struggle for liberty and political change.

The second volume, *Westward Expansion and Prelude to Revolution*, covers the period from the arrival of Spotswood as lieutenant governor to the conclusion of the Great War for Empire. The pattern of conflict that had characterized the years since Bacon's Rebellion continued as Spotswood sought to lessen the political power of the gentry. His successors, Drysdale and Gooch, reached an accord with the colony's leaders as did Dinwiddie, after his unfortunate attempt to establish the pistole fee without the consent of the House of Burgesses, and Fauquier. The years from 1710 to 1750 saw two important developments: the rise of the Burgesses to political predominance and the westward expansion of the colony across the Alleghenies. These two developments set the stage for the events treated in the last half of the volume, Virginia's role in the conflict with France over the Ohio country and the emerging contest between the colony and Crown authorities over home rule. In what is the best and most comprehensive discussion yet published of the parsons' cause, the author succeeds in putting that dispute in clearer perspective and in assaying its relationship to the revolutionary movement in Virginia. Originally a protest by the clergy against the increasing secular control of the church and the College of William and Mary, it produced much dissatisfaction among Virginia politicians over imperial interference in matters of purely local concern.

This work is a conventional narrative history, emphasizing political happenings at the expense of economic, social, and intellectual developments. And it has a whiggish hue which may prevent the author from achieving a thorough understanding of those men and events which now seem to have stood in opposition to the advance of liberty and progress. But these are minor flaws. By sketching in the details of those shadowy years between Bacon's Rebellion and the Great War for Empire Professor Morton has made a major contribution, and his mastery of the sources, his thoughtful use of important secondary works, and his lively style combine to make this handsome set a sound and readable work. It will undoubtedly remain the standard history of colonial Virginia for many years to come.

JACK P. GREENE

*Western Reserve University*

*The Confederacy.* By CHARLES P. ROLAND. Chicago: The University of Chicago Press, 1960. xvii, 218. \$3.95.

*The Confederacy* by Charles P. Roland is one of the recent volumes of *The Chicago History of American Civilization*, edited by Daniel J. Boorstin. *The Confederacy*, like most of the books in this series, is very readable, well organized, interpretative and nicely published.

Prof. Roland has not attempted to present any really new or additional interpretations of the Confederacy. But he has presented a brief history of the Confederacy without the usual "quicksand of minute facts." Broad movements, policies and explanations are the points emphasized.

In tracing the Confederacy from its rapid birth to its also rapid death, the author relates such topics as political, economic, social, and diplomatic aspects of the Confederate Government, state's rights, Southern preparations for the war, conflict of interests within the Confederacy, and the beleaguered southern people.

In Maryland during the Civil War, draft dodgers, and deserters hid in the Pocomoke Swamp. Where does one hide from the overwhelming tidal wave of present day Civil War books? *The Confederacy* is not a volume for the library of either the professional Civil War historian or the Civil War "buff," yet it might just whet the interest of some readers enough for them to join the thousands on the road to Appomattox Court House. The value of this work is in its clear, concise presentation. Here is a good, brief, readable account of the Confederacy for the thousands of Americans who desire to have an intelligent understanding of the great conflict without having to become a "CIVIL WARRIOR."

WILLIAM H. WROTEN, JR.

*State Teachers College,  
Salisbury, Md.*

*Meade of Gettysburg.* By FREEMAN CLEAVES. Norman: University of Oklahoma Press, 1960. xi, 384. \$5.

General George Gordon Meade (1815-1872) is best remembered as the Union commander who defeated Robert E. Lee at Gettysburg, and then failed to follow up his victory. Behind this one sentence epitaph of one of the Union's most outstanding military leaders is the story of a regular army officer who served his country well, but perhaps undistinguished for over forty years. He was a highly respected officer, well liked and greatly admired by all who



served under him. This book is, therefore, the life of one of the more capable of the commanders of the Army of the Potomac and a welcomed addition to the ever growing and unceasing flow of Civil War literature.

Meade, according to Cleaves, certainly operated under great disadvantages while he was in command of the Army of the Potomac. He had to keep his army ever between Washington and the enemy. In addition, he could not act unless his plans were approved by Washington. Finally, he was thwarted both by Lincoln and General Halleck and forced to remain inactive. This situation was not remedied until Grant assumed command in 1864.

This book contains very little about Meade's personal life. It is, rather, more concerned with the account of the Civil War battles in which Meade participated. Cleaves defends Meade's failure to pursue Lee after Gettysburg by pointing out that "no Civil War commander, after any exhausting two-day battle, ever did pursue."

The author has written this book primarily from secondary sources. He did not use any extensive collection of Meade papers, because these do not exist. In addition, he has failed to consult the voluminous Meade correspondence in the Civil War records at the National Archives, even though he has cited the *Official Records of the War of the Rebellion*. One wishes that the author could have used the papers of Meade's contemporaries such as McClellan, Hooker, Sickles, Porter, Sheridan, and Howard, all of which are available to tell what the army thought about Meade. The appearance of this book, moreover, points out the needs for the publication of biographies of other Meade contemporaries as we celebrate the centennial of the tragic events of 1861 to 1865.

FRANK F. WHITE, JR.

*Maryland Hall of Records*

*Ferry Hill Plantation Journal. January 4, 1838—January 15, 1839.*

Edited by FLETCHER M. GREEN. Chapel Hill: The University of North Carolina Press, 1961. xxv, 139. \$2.50.

With publication of the *Ferry Hill Plantation Journal*, Volume 43 of The James Sprunt Studies in History and Political Science, another fragmentary record of a vanished way of life is made available to the public. In this case, North Carolina has done Maryland a favor, since the *Ferry Hill* property was located at Swearingen's Ferry on the Maryland side of the Potomac on the present day road from Shepherdstown to Sharpsburg.

John Blackford, the writer of the journal, was a wealthy businessman with many interests in the community in which he lived. His journal is a day to day account of his dealings with his family, his friends, and his slaves, as well as a record of the management of his plantation and ferry on the Potomac. Due to the brief time span which the journal encompasses, the casual reader may not find Blackford's notes very interesting, but the scholar will appreciate the editor's thoughtful introduction and exhaustive footnotes.

Any reader will be amused by Blackford's imaginative spelling and extremely tolerant view of the sea of whiskey which all but swallows up many of his slaves and hired hands. The occasional countryman who browses through this little volume will be pleased with the insight afforded of 1840 agriculture, of apple butter, barbecues, butchering, cider making, crops, fishing, ice houses, pea-fowl, "plaster," sheep, slaves, threshing, lumbering, and shooting. In short, this reviewer is delighted with the Ferry Hill journal.

C. A. P. H.

*The Real Abraham Lincoln.* By REINHARD H. LUTHIN. Introduction by ALLAN NEVINS. Englewood Cliffs, New Jersey: Prentice-Hall, Inc., xxviii, 778. \$10.

The Lincoln that emerges from Dr. Luthin's study is in many respects a familiar figure. But he is not the principled lawyer, the liberal statesman, or the master of military strategy that some recent writers have claimed. The real Lincoln, Dr. Luthin insists, was above all a conservative, a die-hard Whig, a reluctant Republican, and, at all times, a cautious politician with an ear to the pulse of public opinion.

The author is at his best in his treatment of the prairie years. He rejects flimsy evidence, marshals an impressive array of facts, and draws liberally from recent scholarship for fresh interpretations, particularly in his presentation of Lincoln's career in law. He stresses the influence of a frontier environment and finds that in Illinois politics Lincoln gained a fund of experience; but he concludes that throughout these years Lincoln "drifted with the tide, and up to his election as President . . . left no record of achievement, except the quest for office."

Approximately the last two-thirds of the book is devoted to the presidential years. In this portion of his study the author plunges into controversial issues and takes strong positions on a number of

the period's major problems of historical interpretation. There should be no criticism of this procedure so long as the method is sound. Yet this is precisely where the author is occasionally at fault. A case in point is the Lincoln-McClellan relationship, in which Dr. Luthin develops a pro-McClellan thesis partly by editorializing and by withholding evidence that is damaging to the General. Little or no consideration is given to McClellan's meddling in political affairs, his proclivity to overestimate enemy strength and repeatedly call for reinforcements, his indecision and procrastination just before and during battles, and his failure to co-ordinate his attacks and to use all of his men in battles.

The author's coolness towards Grant derives in part from a faulty understanding of the General-in-Chief's grand strategy in 1864-65. Dr. Luthin treats the campaign from Culpeper to Petersburg not as part of a vast, co-ordinated attack against the Confederacy, which it was, but as an independent, isolated operation, which it was not. But even allowing for this misconception, this reviewer disagrees with the conclusion that the campaign failed.

The volume contains several surprising factual errors, numerous evidences of careless proofreading, and occasional lapses of style. While the work is undocumented, the chapter-by-chapter annotated bibliography at the back of the book is excellent.

FREDRICK D. WILLIAMS

*Michigan State University*

*The Origin and Meaning of the Indian Place Names of Maryland.*

By HAMILL KENNY. Baltimore: Waverly Press, 1961. xix, 186.  
\$7.

Dr. Kenny's book gives ethno-historians and place-name scholars occasion to rejoice. The subject of American Indian place-names has been treated both superficially and inexpertly, with so many invalid interpretations founded on whim or fancy, that a methodical, linguistic approach by an informed writer is an important contribution to knowledge. There have been a few others—but they are all too rare. Kenny's book is, in fact, the first exclusively Maryland Indian place-name volume.

During the period of exploration and settlement, the English encountered the Conoy (Piscataway) and Nanticoke Indians, as well as certain Powhatan affiliates, living on the Maryland waterways. Culturally related to the Nanticoke were the Choptank,

Pocomoke, Assateague, and other bands found on the Eastern Shore. Many of the Maryland Indian communities, as Kenny emphasizes, were named from the streams on which they were seated. Other Indians not native to the area—the Shawnee, Delaware, Susquehannock, Seneca, etc.—camped, hunted, or settled temporarily in Maryland. Today's problem is to relate some 315 existing place-names of Indian provenience to the particular Indians responsible for them; to identify the original places or physical features bearing the names; and to interpret the names without benefit of a grammar, dictionary, or native speakers. Since the dialects of the Algonkian tongue spoken by the pre-literate Powhatan, Conoy, and Nanticoke are now extinct, verification of interpretations is difficult, and, in many instances, impossible. Furthermore, to complicate the problem, names have changed from one Indian place-name to another; from Indian to English and again to Indian; from a colonial name to Indian; and from an Indian name to English. The author cites typical examples of each type of change. Superfluous English generics, he also adds, have been attached to Indian place-names. *Susquehanna* means "smooth flowing stream," says Kenny, and on linguistic grounds does not need the word river tacked on. *Chesapeake* in Algonkian is translatable as "great shell-fish bay," and adding the English word bay to the Indian word is redundant.

Kenny's interpretative approach—to the extent it is practicable—is to apply what he terms the Comparative Method. The basis of the method is that there was once a common, original Primitive Algonkian parent language, which no Algonkianist would dispute. The trick, and it's a neat one if you can do it, is to reconstruct a Primitive Algonkian archetype from the cognate stems of the several known and recorded dialects, such as Fox, Cree, Menominee, Ojibway, and Abnaki, and then make phonetic inferences. Also, according to the author, the interpreter must be guided by two broad rules, (a) the earliest European spelling of an Indian word is probably the most phonetic one, (b) later spellings, often contrived, are the most corrupt and popular. For instance, as Kenny explains, Rockawalking Creek does not refer to a Mr. Rock walking to town one day instead of riding (according to folk etymology), but the earliest recorded Algonkian forms *Rockawakin* and *Rokia-waken*, as assessed by the Comparative Method, can be postulated to mean "at the sandy ground." Kenny admits that the Comparative Method, or, in fact, any system will not eliminate uncertainties, and he states frankly that he refuses to cloak doubt under the recommendation of an unfounded meaning. This conservatism is the mark of a scholar for which Kenny is to be admired and commended.

The book consists of two principal parts; first, an Introductory Essay dealing, among other things, with ethonology and tribal migrations. It also contains a separate note on a 17th century Algonkian grammar, dictionary, and catechism believed to have long sought these lost writings, including Kenny himself, who searched the libraries of Rome on five different occasions without success.

Part two is the Dictionary containing 228 entries, each giving location, map or documentary spelling, previous opinions, and the author's own conclusions. There is also an Appendix containing 28 entries of "Extinct, Misspelled, Scantly Documented Names, Apparently Indian" supplied by William B. Marye, and 38 entries entitled "Words Found by Mr. William B. Marye in Patent Records for Land, Land Office, Annapolis."

In the first section, Kenny generously gives to *Bulletin 30* of the Bureau of American Ethnology (the so-called "Handbook") greater credence than most ethno-historians are willing to accord a work published more than 50 years ago, and in need of up-dating. For example, the contributors to the "Handbook" of data on the Maryland Indians were gravely in error in their appraisal of the Nanticoke. (see fn. 45 of my *The Nanticoke Indians*, Penna. Hist. & Museum Commission, Harrisburg, 1948, a title missing from Kenny's bibliography)

The Dictionary will have to stand on its own merits, and Kenny will not expect full agreement on all of his interpretations, which, as previously indicated, cannot, at this late date, be varied and largely depend upon judgments. I am glad that he did not labor the theory that the name of the town of Vienna, Maryland is derived from a contraction of the Nanticoke Emperor Unacokasimmon, which would be difficult to establish by the Comparative Method, and does not yield to proof by historic evidence. Although an Emperor's Landing may have been at Vienna (there were more than one Emperor's Landings in Maryland) it is far from certain that it honored this particular Algonkian potentate. Unacokasimmon was succeeded as emperor by his brother Ohoperoon in 1687, who was succeeded by his nephew Asquash in 1692. These successive aboriginal emperor "coronations" probably took place before Vienna was laid out.

Perhaps the patently non-Indian names in the Dictionary (Johns Hammock, Handys Hammock, Jamaica Point, Savage Mountain, Savage Neck, Locust Necktown, Paint Branch, and others) should have been separated from the true Indian words and listed as "pseudo-Indian." This is strictly a personal observation that in

no way is intended to detract from Kenny's interesting and valuable syntheses of the Maryland place-names of indisputable Indian origin.

One listing in the Appendix is "Their Quankosine House," taken from a 1713 entry in the *Maryland Archives*. The author suggests this is "perhaps a contraction of goose (*kahunge, kahanquuoc*)" and lets it go at that. William B. Marye in two essays published in *American Antiquity* ("Former Indian Sites in Maryland As Located by Early Colonial Records, 2: 40-46, and "Burial Methods in Maryland and Adjacent States," *ibid.*, 209-214) cites *Quiankeson Neck* (on the Nanticoke River), *Cuiaskason Swamp* (on the Choptank River), and *Quacotion House Point* (on a branch of the Pocomoke River). These place-names are all seemingly derived from the *Quioccason*=*Chiacason* house, the burial temple, or charnel house, of the Maryland Indians. The survival of the word in its several variants is of utmost importance to the ethnologist and archeologist in tracing the geographical distribution of a mortuary custom that included bone scraping and secondary burial in ossuaries. It would have been of more than casual interest if the author had elected to reduce this word to English by the Comparative Method (it also occurs in the Carolinas and is recorded by Lawson as *Quicason*, and is found in the William Vans Murray 1792 vocabulary of the Choptank Indian remnants as *Quacasun-house*). I dare say the end product of a careful analysis of the several forms would kill the "goose."

Kenny's study reveals that the largest percentage of Maryland's surviving Indian place-names have reference to water, attesting to the fact that the local Indians lived on or near water, travelled by water, and depended upon fishing for a livelihood. Land names are second in importance, including words relating to hills, earth, and dwelling sites. Animals are third in number, e. g., beaver, gull, porcupine, goose, wildcat, possum, etc. Other names reflect plants, wearing apparel, ceremonies, weather, agriculture, and commerce.

The book is well indexed, which adds to its usefulness as a valuable reference work. The selected bibliography contains an imposing list of titles, indicative of the painstaking research that went into the preparation of one of the outstanding books of its kind.

C. A. WESLAGER

*Ghost Towns of Talbot County.* By JAMES C. MULLIKIN. Easton, 1961. 51 pp. \$1.

In this valuable pamphlet Mr. Mullikin presents the stories of Talbot County's "ghost towns"—York, the first county seat; Dorchester, or Wyetown; Dover, which aspired to be the capital of the Eastern Shore; and Kingston, longest-lived of the four river-ports. The author has combed previously printed materials, as well as the archives of the state and of the county, to assemble all known data. His easy style and careful differentiation between fact and folklore are a happy combination. Two maps, three halftones and a cover by Yardley of *The Sunpapers* enhance the usefulness and attractiveness of the publication. The field for such pamphlets is wide. One hopes that Mr. Mullikin will not rest on his laurels, and that local history enthusiasms in other sections of the state will follow his example.

HAROLD R. MANAKEE

*Amphibian Engineer Operations: Volume IV, Engineers of the Southwest Pacific, 1941-45.* Washington, D. C.; U. S. Government Printing Office, 1959. 766.

Receipt by the *Magazine* of a presentation copy of the most recently published volume of an official history of the ENGINEERS OF THE SOUTHWEST PACIFIC, 1941-45, calls for notice of an important historical activity which not only has its headquarters in Maryland but is one in which a number of Maryland historians have been, and are, participating. The Historical Division, Office of the Chief of Engineers, Department of the Army, located in Baltimore since its creation in 1946, has published eight volumes on the history of the Army's Engineers, in various series. These include, in addition to the one mentioned, four volumes for the U. S. ARMY IN WORLD WAR II, of which Dr. K. R. Greenfield, an officer of the Society, was General Editor until 1958; a history of the Engineers in the Cold War; and *A History of the Corps of Engineers from 1775 to the Present*. Dr. Jesse A. Remington, the Director of the program, is a Marylander. Several of the authors working with him hold degrees from the Johns Hopkins University and Goucher College.

KENT ROBERTS GREENFIELD

## BOOKS RECEIVED

---

- John Pendleton Kennedy, Gentleman From Baltimore.* By CHARLES H. BOHNER. Baltimore: The Johns Hopkins Press, 1961. x, 266. \$5.50.
- Queens of the Western Ocean: The Story of America's Mail and Passenger Sailing Lines.* By CARL C. CUTLER. Annapolis, Md.: The United States Naval Institute, 1961.
- Greyhounds of the Sea: The Story of The American Clipper Ship.* By CARL C. CUTLER. Annapolis, Md.: The United States Naval Institute, 1961. xxvii, 592. \$12.50 apiece, \$20 the set.
- The Papers of Henry Clay: Volume 2 The Rising Statesman 1815-1820.* Edited by JAMES F. HOPKINS and MARY W. M. HARGREAVES. Lexington: The University of Kentucky Press, 1961. 939. \$15.
- The First South.* By JOHN RICHARD ALDEN. Baton Rouge: The Louisiana State University Press, 1961. 144. \$3.50.
- The Origin and Meaning of the Indian Place Names of Maryland.* By HAMILL KENNY. Baltimore: The Waverly Press, 1961. xix, 186. \$7.
- Titian Ramsay Peale 1799-1885 And His Journals of The Wilkes Expedition.* By JESSIE POESCH. Philadelphia: The American Philosophical Society, 1961. x, 214. \$6.50.
- Old Gentlemen's Convention: The Washington Peace Conference of 1861.* By ROBERT GRAY GUNDERSON. Madison, Wisc.: The University of Wisconsin Press, 1961. xiii, 168. \$5.



## NOTES AND QUERIES

---

*MSS of Committees of Observation*—Before the outbreak of the America Revolution, Committees of Correspondence were formed, to spread propaganda, disseminate information of British moves, and strengthen intercolonial unity, even before independence was openly advocated. Out of these bodies came the Committees of Safety which were extra-legal. From these Committees of Safety developed the state governments.

The Maryland counterpart of such committees was the Committee of Observation, and it appears to have had a surer legal basis. The Maryland Convention, of which the Council of Safety was the executive committee, recommended that the freeholders in each county elect a Committee of Observation for that county (Arch. Md., XI, 27). The Maryland Historical Society has the proceedings of some of these bodies, especially for the districts of Frederick County. Samuel Purviance, who had more zeal than wisdom, was chairman of the Baltimore County committee.

Both the Committee of Correspondence and the Committee of Safety have been given definitive treatment (Collins, E. C., *A. H. A. Reports*, I, 1901; Hunt, Agnes, *The Provincial Committees of Safety*.)

E. D. Burnett says (*DAH* IV, [474]) that the Revolution was stirred up by committees, organized by committees, and largely conducted by them. "By the time the break came with Great Britain the whole country . . . was afire with committees."

ELIZABETH MERRITT

---

*To the Correspondents of the Longwood Library*—Formerly of Kennett Square, Pennsylvania, the Longwood Library has been moved into Delaware and combined with the library of the Hagley Museum under the auspices of the Eleutherian Mills-Hagley Foundation. The name of the merged institutions will be the Eleutherian Mills Historical Library. Its postal address will be Greenville, Wilmington 7, Delaware, and its telephone number OLYMPIA 8-2401.

CHARLES W. DAVID  
Director, Longwood Library

---

*Van Horne*—Wanted, the first name of the husband of Elizabeth Van Horne (Horne or Horn) who married ——— Walmsley around 1770 or before; also the names of his parents and their children, the dates of marriage, births and deaths. Elizabeth was the daughter of Nicholas Van Horn.

MRS. DAVID C. LOKER  
1201 Napoleon Avenue, Apt. B.  
New Orleans 15, La.

---

A Seminar in Maryland History is being created as an organ of the Society, to promote the use of the Society's rich collections of manuscripts by historical scholars from Maryland and other parts of the United States.

The Seminar will be directed by Dr. Kent Roberts Greenfield, Chairman of the Society's Publications Committee, who was formerly Chairman of the Department of History in the Johns Hopkins University, and more recently Chief Historian of the Department of the Army. It will be modelled on the type of Advanced Seminar in History in use at the Johns Hopkins and employed by Dr. Greenfield to develop the books published in the UNITED STATES ARMY IN WORLD WAR II, of which Dr. Greenfield was General Editor until 1958.

The Seminar will meet to discuss projects of research and writing, or draft chapters of manuscripts, by scholars whose work gives promise of making substantial contributions to the history of America, and provide such students with guidance and criticism.

The members of the Seminar are: Professor Rhoda M. Dorsey, Goucher College; Mr. Wilbur H. Hunter, Jr., Peale Museum; Professor Aubrey C. Land, University of Maryland; Dr. Morris L. Radoff, Hall of Records; Dr. F. Wilson Smith, the Johns Hopkins University; and Mr. C. A. Porter Hopkins, Maryland Historical Society, Secretary.

Other scholars who have a special knowledge of the subject under discussion will be associated with this panel as the occasion requires.

Students who wish to have their work discussed by the Seminar are invited to address their inquiries to:

Dr. K. R. Greenfield  
Director of the Maryland Historical Seminar  
The Ambassador, Apt. 1012, Baltimore 18.

## CONTRIBUTORS

ROBERT L. ALEXANDER is Professor in the Department of Art of the State University of Iowa. He is a student of architectural history and has contributed several articles on the subject to this and other journals. His latest, on William Small (*q.v.*), appeared in the *Journal of Architectural Historians* (May, 1961), 63-77.

EDWARD G. RODDY is instructor in history at Merrimack College, North Andover, Massachusetts. His article on the election of 1800 is the outgrowth of a seminar in Early American History at Georgetown University from which he received the doctorate in June, 1961.

MARVIN E. GETTLEMAN is lecturer in American Government in the City College of New York.

S. SYDNEY BRADFORD is curator of the Morristown National Historical Park, Morristown, N. J. His latest article was published in June, 1961 number of the *Magazine*.

# TONGUE, BROOKS & COMPANY

I N S U R A N C E

*All Coverages*

213 Saint Paul Place  
Baltimore

# SMITH'S BOOK STORE

Established 1876

Special attention to inquiries  
for books relating to Baltimore  
and Maryland.



LIBRARIES OR SINGLE  
BOOKS PURCHASED



805 N. HOWARD STREET  
MU 5-2823 BALTIMORE 1



Photo Engravings  
for Programs  
-Catalogs  
and Magazines-

The  
ADVERTISERS ENGRAVING COMPANY  
501-509 EAST PRESTON STREET  
MULberry 5-2357 5-2358

# TRADITIONAL FURNITURE

*From America's outstanding  
sources . . . in wide  
open stock selection.*

Our workroom offers complete  
restoration service . . . cabinet-  
work, refinishing and reuphol-  
stering.

FALLON & HELLEN

11 and 13 W. Mulberry St.  
Baltimore, 1, Maryland  
LExington 9-3345

# IN 1901—

when we reached the age of 22

President McKinley was shot by Leon Czolgosz at Buffalo on September 6 and died.— *Sept. 14.*

The *Columbia*, owned by J. P. Morgan, won all three contests for the America Cup in the International Yacht Races against Sir Thomas Lipton's *Shamrock*.— *Sept. 28 to Oct. 4.*

Czolgosz was executed at Auburn prison.— *Oct. 29.*

Marconi transmitted the first wireless message across the Atlantic, Cornwall to Newfoundland.— *Dec. 14.*

The *Shawmut*, 17,000 tons, largest steamship built here up to that time, was launched at Sparrows Point.— *Dec. 21.*

---

Wherever you move . . . whatever you store . . . call Monumental-Security Storage Company, Baltimore agent for Allied, the World's largest, most trusted Van Line.

**MOVING** local or long distance by skilled personnel experienced in handling everything from household furnishings to priceless works of art.

**PACKING** with our exclusive Kleen-Pack method in custom containers protects even your most fragile possessions in storage and during transportation.

**STORAGE** in Baltimore's most modern concrete and steel warehouse, sprinkler equipped to give you the lowest possible insurance rate and the best possible protection.

*Your Baltimore Agent for Allied Van Lines*

**M**onumental-  
**Security STORAGE CO.**

WINDSOR AVENUE AND MONROE STREET  
BALTIMORE 17, MD.

LAfayette 3-2141

SAratoga 7-3480

*"Serving Baltimore and the Nation Since 1879"*

---

\* \* \* \*

# FOURTH DIVIDEND THIS YEAR!!!!

\*

AS OF DECEMBER 31, 1961,

the **FOURTH GENEROUS DIVIDEND** this year will be paid or credited to Savers by **FRATERNITY FEDERAL**, where dividends are now paid

**4** TIMES  
A  
YEAR

NEW PERIOD BEGINS JANUARY FIRST

Savings received by the 10th will earn from the **FIRST!**

BE SURE YOUR SAVINGS ARE GOV'T-AGENCY INSURED—  
SAVE SAFELY AND PROFITABLY at **FRATERNITY**

**Old** in Stability (48 years)

**Modern** in Service, Convenience and Progress.

\* Savings **INSURED** to \$10,000 by the **FSLIC**,  
\* \* **U. S. GOVERNMENT INSTRUMENTALITY**

★ Customer **PARKING LOT**—Both offices

★ **THREE DRIVE-UP WINDOWS** at Main Office

**SAFE DEPOSIT Boxes**

*Speedy, POSTAGE-PAID SAVE-by-MAIL*



## *Fraternity* **FEDERAL**

**SAVINGS AND LOAN ASSOCIATION**

★ 764-770 WASHINGTON BLVD. Baltimore 3, Maryland

**BRANCH OFFICE:** Normandy Shopping Center,  
Route 40, Ellicott City, Maryland